



FOURTH JUDICIAL CIRCUIT COURT
IN AND FOR CLAY COUNTY, FLORIDA

K. BETH LUNA & AARON J. IRVING
GENERAL MAGISTRATES/CHILD SUPPORT HEARING OFFICERS

POLICIES AND PROCEDURES

(updated July 17, 2026)

DIVISION OF CASES:

1. All family law matters involving two self-represented parties (except for adoptions, injunctions, and emergency motions) are heard by Magistrate Irving.
2. All dependency matters referred by the Judges are heard by Magistrate Luna.
3. All family law matters referred by the Circuit Court Judges involving one or more attorneys are divided as follows:
 - a) Case numbers ending in 0-5: Magistrate K. Beth Luna
 - b) Case numbers ending in 6-9: Magistrate Aaron J. Irving

SCHEDULING OF HEARINGS WHEN BOTH PARTIES ARE SELF-REPRESENTED:

1. When both parties are self-represented, the parties must communicate with the Court through their assigned case manager at Family Court Services. Walk-ins are no longer accepted. Family Court Services personnel can be reached at (904) 278-3636 or
 - a) Petitioners with last names beginning with A - L may contact Aritchie@coj.net.
 - b) Petitioners with last names beginning with M - Z may contact Jguarino@coj.net.
2. When both parties are self-represented, the parties should not contact the Magistrates' assistant unless instructed to do so or unless the Magistrates' assistant initiates contact. If a hearing is scheduled, the self-represented parties will receive a Notice of Hearing containing instructions regarding the submission of evidence prior to a scheduled hearing.

SCHEDULING OF HEARINGS BY ATTORNEYS:

1. Attorneys may schedule hearings by contacting the Magistrates' assistant at albertm@clayclerk.com.

2. TEMPORARY NEEDS HEARINGS – PRIOR TO SCHEDULING ANY TEMPORARY NEEDS HEARING BEFORE THE MAGISTATE, THE ATTORNEY(S) MUST:

- a) Have filed an appropriate pleading or motion requesting relief;
- b) Have served the opposing party with the pleading or motion; and
- c) If applicable, have already filed a financial affidavit on behalf of his/her client when any financial relief is being sought, including attorney's fees.
- d) Have an Order of Referral from the Judge's office listing the specific pleading and docket number referred for temporary needs hearing and list the name of the specific Magistrate hearing it.
- e) Forms may be found at <https://clayclerk.com/judges/magistrates/>.
- f) Instructions regarding the submission of evidence can be found at <https://clayclerk.com/judges/magistrates/>. Select the applicable "Notice of Hearing" template for instructions specific instructions regarding evidence.

3. FINAL HEARINGS – PRIOR TO SCHEDULING ANY FINAL HEARING BEFORE THE MAGISTRATES, THE ATTORNEY(S) MUST:

- a) Complete and file on the docket a Trial Set Memorandum for review by the Magistrate. The Trial Set Memorandum must be e-mail it to the Magistrate's assistant for review prior to attempting to schedule a final hearing;
- b) Have an Order of Referral from the Judge's office listing the specific pleading and docket number referred for final hearing and list the name of the specific Magistrate hearing it;
- c) The parties must have already attended mediation unless you have a Court Order waiving mediation or a default has been entered;
- d) If applicable, there must be a UCCJEA affidavit filed;
- e) An updated financial affidavit must be filed by at least the party requesting the hearing, unless the parties waive the filing of a financial affidavit requirement per applicable Family Law Rules of Procedure.
- f) If applicable, the party requesting the hearing must have filed proof of completion of an approved Parent Education and Family Stabilization Course per Florida Statute 61.21, unless you have a Court Order waiving the requirement.
- g) Forms may be found at <https://clayclerk.com/judges/magistrates/>.
- h) Instructions regarding the submission of evidence can be found at <https://clayclerk.com/judges/magistrates/>. Select the applicable "Notice of Hearing" template for instructions specific instructions regarding evidence.

4. OTHER MATTERS:

Any other post-judgment or other matters may be scheduled before a Magistrate only upon an Order of Referral from the Judge's office identifying the specific motion or matter to be heard and the specific Magistrate to whom the matter is referred.

5. NOTICE OF HEARINGS:

- a) Any notice of hearing before the Magistrate prepared by counsel must fully comply with the notice requirements set forth in Fla. Fam. L. R. P. 12.490(d)(4) and (5).
- b) Any notice of hearing before the Magistrate/Child Support Hearing Officer prepared by counsel on a motion for civil contempt in support matters must fully comply with the notice requirements set forth in Fla. Fam. L. R. P. 12.615(b).
- c) Failure to comply with all applicable notice requirements may result in your case being continued and/or certain contempt sanctions not being awarded.
- d) Forms may be found at <https://clayclerk.com/judges/magistrates/>.

CHILD TESTIMONY/COURT ATTENDANCE:

- 1. Any party seeking to present testimony from a minor child must file a motion for child testimony. No minor child shall be brought to court for the purpose of testifying without first obtaining an Order signed by the Circuit Judge authorizing the child's testimony.
- 2. Children accompanying parents to the courthouse, even when not expected to testify, are discouraged. Minor children shall not be permitted to sit in during hearings unless authorized by Court Order. Any parent who brings a minor child to court is responsible for providing appropriate supervision. Court staff are not permitted to supervise children.