

IN THE CIRCUIT COURT, FOURTH JUDICIAL CIRCUIT,
IN AND FOR CLAY COUNTY, FLORIDA

CASE NO.: 10- -DR-
DIVISION: F/J

Petitioner,
and

Respondent.

_____ /

NOTICE OF HEARING BEFORE GENERAL MAGISTRATE
(Hybrid Hearing)

PLEASE TAKE NOTICE that a hearing is hereby set before General Magistrate _____, at the following time on the following matter(s):

PLEADINGS/MOTIONS:

_____ (Dkt. _____)
_____ (Dkt. _____)

DATE:

TIME:

AMOUNT OF TIME RESERVED: _____

LOCATION/ZOOM:

The Petitioner/Respondent, counsel for the Petitioner/Respondent, and any witnesses for either party shall appear in person at: General Magistrate's Chambers, Room 301 or 303, Clay County Courthouse, 825 N. Orange Ave., Green Cove Springs, FL 32043.

The Petitioner/Respondent may appear virtually: **ZOOM MEETING ID:** _____ (no passcode required)

NOTICE REGARDING EVIDENCE FOR HYBRID HEARINGS

Any written evidence you wish to submit for consideration during the hearing must be e-mailed to the Magistrate's Office at magistrate@clayclerk.com no later than three (3) days prior to your hearing.

COPIES OF YOUR EVIDENCE SHALL ALSO BE FURNISHED TO OPPOSING COUNSEL, OR TO THE OPPOSING PARTY IF THEY ARE NOT REPRESENTED BY

COUNSEL.

DO NOT FILE YOUR EVIDENCE WITH THE CLERK.

If your written evidence exceeds 25 pages, you are required to deliver a hard copy to the Magistrate's Office prior to your hearing.

All documents must be clearly marked and identifiable. Proposed exhibits shall be labeled prior to being provided to all parties and the Court with letters (e.g., A, B, C...). You should keep a copy of all documents so you may refer to them during your hearing.

ZIP files and/or videos shall be provided to the General Magistrate's office via thumb drive.

ADDITIONAL INFORMATION FOR ZOOM APPEARANCE

Zoom is a FREE service using your computer or smart phone. Please download the Zoom program to your computer or install the Zoom app on your smart phone prior to your hearing and familiarize yourself with the software. **YOU MUST HAVE AUDIO AND VIDEO CAPACITY** on your computer to use Zoom via your computer. You can download the program at www.zoom.us or from your smart phone's app store. You can visit <https://zoom.us/resources> for more information.

- On the day of your hearing, launch your Zoom program or app at least five (5) minutes before your scheduled hearing time and from your Zoom home page, click "Join" or "Join Meeting." When prompted, enter your Meeting ID Number and Passcode. If prompted to do so, enter your name. If you are joining from your smart phone, be sure to click "Join With Video."
- When you enter the video conference, you may be placed in a waiting room until the commencement of the hearing. You may be prompted to test your video and audio on your device and should do so at that time.
- **Only the parties, counsel for the parties, and any testifying witnesses are permitted to attend the hearing. DO NOT** invite any non-testifying third parties, including friends, family members, and/or significant others, to attend the video conference, as they will not be permitted to participate or observe the hearing. Please advise your witnesses that they will remain in the waiting room until it is their turn to testify.

HEARINGS ON MOTIONS FOR CIVIL CONTEMPT/ENFORCEMENT

If the matter before the General Magistrate is a Motion for Civil Contempt/Enforcement, FAILURE TO APPEAR AT THE HEARING MAY RESULT IN THE COURT ISSUING A WRIT OF BODILY ATTACHMENT FOR YOUR ARREST. IF YOU ARE ARRESTED, YOU MAY BE HELD IN JAIL UP TO 48 HOURS BEFORE A HEARING

IS HELD.

IF THIS IS A CONTEMPT HEARING:

YOUR ABILITY TO PAY IS A CRITICAL ISSUE IN A CONTEMPT PROCEEDING. YOU ARE STRONGLY URGED TO PREPARE AND FILE A FAMILY LAW FINANCIAL AFFIDAVIT PRIOR TO THE HEARING IN ORDER FOR THE COURT TO BE ABLE TO ELICIT RELEVANT FINANCIAL INFORMATION FROM YOU. YOU WILL BE PROVIDED AN OPPORTUNITY AT THE HEARING TO RESPOND TO STATEMENTS AND QUESTIONS ABOUT YOUR FINANCIAL STATUS.

TO BE HELD IN CONTEMPT, THE COURT MUST MAKE AN EXPRESS FINDING THAT YOU HAVE THE ABILITY TO PAY.

If you are represented by an attorney or plan to retain an attorney for this matter, you should notify the attorney of this hearing.

**RELIEF FROM ORDERS ENTERED FOLLOWING A HEARING BEFORE THE
GENERAL MAGISTRATE**

Following the hearing before the Magistrate, the Magistrate shall submit a recommended order to the Circuit Judge which includes findings of fact and conclusions of law.

SHOULD YOU WISH TO SEEK REVIEW OF THE RECOMMENDED ORDER MADE BY THE GENERAL MAGISTRATE, YOU MUST FILE A MOTION TO VACATE IN ACCORDANCE WITH RULE 12.490(e) FLORIDA FAMILY LAW RULES OF PROCEDURE. YOU WILL BE REQUIRED TO PROVIDE THE COURT WITH A RECORD SUFFICIENT TO SUPPORT YOUR MOTION TO VACATE OR YOUR MOTION WILL BE DENIED. A RECORD ORDINARILY INCLUDES A WRITTEN TRANSCRIPT OF ALL RELEVANT PROCEEDINGS UNLESS WAIVED BY ORDER OF THE COURT PRIOR TO ANY HEARING ON THE MOTION TO VACATE. THE PERSON SEEKING REVIEW MUST HAVE THE TRANSCRIPT PREPARED FOR THE COURT'S REVIEW.

The party seeking review of the recommended order shall seek to schedule a hearing date at the same time that the motion to vacate is filed by emailing the Judicial Assistant of the Circuit Judge assigned to your case. E-mail addresses are located on the Clerk of Court's website. **FAILURE TO SEEK A HEARING DATE IN CONFORMITY HEREWITH MAY RESULT IN A DENIAL OF THE MOTION TO VACATE.**

RECORDING OF THE HEARING

Electronic recording of the hearing is provided by the Court. Any party may also provide a court

reporter at that party's expense.

ADDITIONAL INFORMATION

If this matter is resolved prior to the hearing, the moving party shall contact the General Magistrate's office to cancel this hearing.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been provided via U.S. Mail/Electronic Mail on the _____ day of _____ 20____, to:

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator at crtintrap@coj.net or (904)255-1695 at least seven (7) days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than seven (7) days; if you are hearing or voice impaired, call 711.