

**IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
IN AND FOR LAKE COUNTY, STATE OF FLORIDA**

Administrative Order Number L-2004-46-A

**AMENDED ADMINISTRATIVE ORDER REGARDING ASSIGNMENTS AND DUTIES
OF THE GENERAL MAGISTRATE FOR LAKE COUNTY**

WHEREAS, in order to expedite the administration of justice in the Fifth Judicial Circuit of Florida, the Chief Judge has appointed general magistrates to serve in the Fifth Judicial Circuit from among the members of the Florida Bar; and

WHEREAS, in accordance with Fla. R. Civ. P. 1.490; Fla. Prob. R. 5.697, Fla. R. Juv. P. 8.255, 8.625 and 8.257; Fla. Fam. L.R.P. 12.490, section 744.369, Florida Statutes and any other statutory or rule provision authorizing the appointment of a general magistrate, the judges of Lake County may refer those matters herein authorized to a general magistrate; and

WHEREAS, the most efficient use of a general magistrate in Lake County is for the magistrate to hear proceedings related to dependency, family law, civil action, or Baker Act proceedings, except those proceedings specifically prohibited by law; and

WHEREAS, it is necessary to establish procedures for the efficient and speedy resolution of all matters referred to a general magistrate in Lake County; and

WHEREAS, the Chief Judge of the Fifth Judicial Circuit in accordance with Fla. R. Jud. Admin. 2.215 has designated an administrative judge in and for Lake County to assist with the supervision of the Court in Lake County; and

IT IS THEREFORE ORDERED:

Dependency Matters

- a. At the discretion of the assigned judge and except as prohibited by law, all dependency matters shall be referred to the general magistrate upon consent of the parties.
- b. The referral process for any dependency matter referred to the general magistrate shall be governed by the procedures set forth in Rule 1.490 Fla. R. Civ. P. and Rule 8.257 Fla. R. Juv. P.

Family Law Matters

- a. At the discretion of the assigned judge, any family law matter except those matters related to domestic, repeat, dating, or stalking violence shall be referred to the general magistrate.

- b. The referral process for any family law matter referred to the general magistrate shall be governed by the procedures set forth in Rule 12.490 Fla. Fam. L.R.P.

Civil Matters

- a. At the discretion of the assigned judge and upon consent of the parties, any civil discovery matter shall be referred to the general magistrate.
- b. Upon request by and agreement of the parties, the general magistrate may hear any other civil matter not prohibited by law.
- c. The referral process for any civil matter referred to the general magistrate shall be governed by Rule 1.490 Fla. R. Civ. P.

Baker Act Proceedings

- a. At the discretion of the assigned judge any action filed in accordance with 394.467 “The Baker Act” shall be referred to the general magistrate.
- b. Absent a referral order entered in an individual case, this order shall constitute an automatic referral without the need for a referral order to be entered.
- c. Since there are no separate rules regarding the procedures for exceptions in Baker Act cases, the procedures provided in Rule 1.490 Fla. Civ. P., Rule 8.257 Fla. R Juv. P., and Rule 12.490 Fla. Fam. L.R.P. shall apply.

This Order shall take effect on September 1, 2017.

DONE AND ORDERED in Chambers at Tavares, Lake County, Florida this 5 day of July, 2017.

LAWRENCE J. SEMENTO
Administrative Judge
Lake County