

ADMINISTRATIVE OFFICE OF THE COURTS
JOB ANNOUNCEMENT

Official Job Title: **Magistrate - Probate General Magistrate Division (State Funded)**

Unit Name: Magistrates & Hearing Officers

Division: Court Support

\$92,852.00 ANNUAL (State Funded) (FULLTIME) + Benefits
40 hours

Occupation Code: Magistrate

Working Title: Probate General Magistrate

To apply for this position, visit: <https://www.jud11.flcourts.org/General-Information/Job-Opportunities>

If hired, the practice of law is prohibited in all areas outside the circuit. Resume and legal writing sample are required. The writing sample should preferably cover the areas of probate, guardianship, or mental health. These documents must be uploaded by the closing date. Only completed applications with supporting documents will be considered.

Description:

This is highly responsible, professional quasi-judicial work, making findings of fact, arriving at conclusions of law, conducting hearings in a Circuit Court and making rulings on Probate, Guardianship and Mental Health matters. The matters include, but are not limited to, Baker Act Petitions, Marchman Act Petitions, Petitions for Incapacity, Adult Protective Service Petitions, Developmental Disabilities Petitions, Guardian Advocate Petitions, Firearm Prohibition Petitions, Relief from Firearm Prohibition Petitions and Tuberculosis Petitions. The General Magistrate typically holds a Baker Act and Marchman Act Hearing Calendar three days a week. A report or recommended order is prepared for entry by the referring judge. The General Magistrate's powers and duties are performed within the framework of applicable state and local laws and court rules.

Working Conditions:

Moderate noise; business office setting.

Physical Demands:

Work involves a significant amount of standing, walking, sitting, typing, talking, listening, stooping, and reaching with hands and arms; must be able to transfer up to 10 pounds.

Qualifications:

- Juris Doctor (JD) degree from an accredited law school.
- Member in good standing with the Florida Bar.
- Five (5) years practicing law with an interest and experience in probate, guardianship and/or mental health laws.

Knowledge, Skills and Abilities (KSAs):

- Thorough knowledge of state statutes, case law and rules of procedure as they pertain to probate, guardianship and mental health law, including but not limited to Baker Act Petitions, Marchman Act Petitions, Petitions for Incapacity, Adult Protective Service Petitions, Developmental Disabilities Petitions, Guardian Advocate Petitions, Firearm Prohibition Petitions, Relief from Firearm Prohibition Petitions and Tuberculosis Petitions.
- Thorough knowledge of general and specific law, state laws, established precedents, and sources of legal reference.

- Thorough knowledge of court procedures, rules of evidence, and trial and courtroom procedures. Knowledge of the responsibilities and authority of General Magistrates/Hearing Officers.
- Ability to apply legal principles and specialized knowledge to individual cases and problems.
- Ability to conduct legal research.
- Ability to prepare for hearings, hear cases, and present material clearly and logically in oral and written form.
- Ability to work with litigants who are in stressful situations.
- Ability to establish and maintain effective working relationships with others.
- Ability to communicate clearly.
- Ability to supervise office personnel.
- Ability to counsel persons on sensitive issues.
- Proficiency in computer use and Microsoft Office Suite, primarily Word.
- Ability to operate, type and generate orders using the computer programs such as Odyssey, CourtMap and Zoom.

Responsibilities:

- Presides over referred court hearings.
- Reviews court calendars and case files prior to scheduled hearings.
- Grants continuances.
- Reads or listens to allegations and determines if action cited is supported by facts.
- Hears and evaluates evidence of witnesses and technical experts.
- Listens to presentation of cases.
- Rules on admissibility of evidence and methods of conducting testimony.
- Schedules cases and conducts hearings and rules on pre-trial matters; conducts final and post-judgment hearings.
- Conducts legal research including reviewing, analyzing, studying, searching, and annotating laws, court decisions, documents, opinions, briefs and related legal authorities to prepare for court proceedings and litigated matters and matters referred by the Circuit Court Judges; and keeps abreast of Florida law.
- Reviews orders of referral.
- Prepares court orders, reports and recommendations based on evidence and findings and transmits them to the judge, utilizing computer software and operating systems including Odyssey, CourtMap and Zoom.
- Supervises office clerical staff as they perform office tasks including but not limited to calendar preparation, filing, answering the phone, reviewing and sending mail and preparing court orders, reports and recommendations.
- Attends staff meetings.
- Attends and participates in lectures, workshops and conferences on related work and legal matters.
- Reads professional journals and updates of case law to stay current on regulations and statutes governing probate, guardianship and mental health legal matters.
- Travels to different courthouses in Miami-Dade County and to the hearing room located at Jackson Memorial Hospital for the performance of the General Magistrate duties.
- Performs related work as required.

Licenses Certifications:

Membership in good standing of the Florida Bar required.