

## Magistrate Maria I. Dente

Collier County Courthouse  
3315 Tamiami Trail East, Suite 509  
Naples, FL 34112  
Telephone (239) 252-8331; Fax (239) 252-8870  
**Sherry Lucas and Rose Hansen**, Administrative Assistants

Telephone hours are from 8:00 a.m. to 5:00 p.m. Due to the high volume of phone calls received by the Civil and Family divisions, you may not reach the assistant in person at times. Therefore, if you receive voice mail, please leave your name, telephone number, case number, and a brief message.

ALL submissions of proposed **Recommended Orders and Orders Adopting** must be by email to [CollierMagRecOrder@ca.cjis20.org](mailto:CollierMagRecOrder@ca.cjis20.org) (in **WORD** format) with the case name and number in the subject line. This email address is ONLY for the submission of cover letters with the Report and Recommendation of the Magistrate and Order Adopting the Report and Recommendation.

### ZOOM INFORMATION

Magistrate Dente - ID: 2917971812 PW: 075142

**Effective 01-01-2025 please refer to the instructions below. Magistrate Dente will hear all guardianship hearings referred to by Hon. Elizabeth Krier.**

### Scheduling Instructions for Guardianship Hearings:

- **Magistrate Maria Dente** will hear only the initial determination of incapacity and the appointment of a guardian(s) on Thursdays at 2 p.m. (via Zoom). All other guardianship hearings will be held on Thursdays at 9 a.m. (via Zoom). In-person hearings may be requested for contested initial guardianship matters and may be set for hearings over one hour.
- **Initial guardianship** hearings are defined as all hearings before and up to the orders granting the petitions to determine incapacity and appoint a guardian or an emergency temporary guardian (ETG).
- **Magistrate Maria Dente** will also hear **all ETG hearings** (on Zoom). The Court will schedule ETG hearings. **NOTE: PARTIES SHALL AGREE TO WAIVE EXCEPTIONS IN ORDER FOR THE MAGISTRATE TO HEAR PETITIONS FOR ETG.** Any ETG hearings where exceptions are **not** waived shall be scheduled by the parties with the assigned circuit judge.
- The following items shall be submitted to [CollierMagRecOrder@CA.CJIS20.ORG](mailto:CollierMagRecOrder@CA.CJIS20.ORG) **before** the ETG hearing in **WORD** format.
  - **Proposed Report and Recommended Order on Petition for ETG**
  - **Order Granting Petition for ETG**
  - **Order Appointing ETG**
  - **ETG Letters**

## Family Hearings:

- Magistrate Maria Dente is assigned all referrals from Hon. Judge Russell Kirshy and Hon. Elizabeth Krier (UFC).
- Magistrate Amy Ellis is assigned all referrals from Hon. Christopher Brown.

## Scheduling Instructions for Family Hearings:

- Family hearings shall be scheduled through the Magistrate's Assistants, Sherry Lucas and Rose Hansen. (239) 252-8670 and (239) 252-4247. Per Judicial Administration Rules, you must coordinate with all parties before selecting a desired hearing time slot.
- An Order of Referral must be entered for each matter referred to the Magistrate under Fla. R. Fam. P Rule 12.490. An order of referral to the magistrate must be in effect before scheduling a hearing.
- **NO EXCEPTIONS PERIOD IN FAMILY CASES.**
- **MOTION TO VACATE** Please ensure that the order of referral has the following language regarding the **Motion to Vacate** per FLA. FAM. L. R. 12.490:

**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.**

- All family hearings scheduled for ½ day or more will be scheduled for in-person appearance. If Parties are requesting a ½ day or longer hearing by Zoom their request must be put in writing and may be set for hearing.
- All evidentiary hearings scheduled for less than ½ day may be set by Zoom or in person as deemed appropriate by the Magistrate's office based on the particular issues. If Party(ies) are specifically requesting in-person or Zoom appearance the request shall be in writing.
- All non-evidentiary hearings will be scheduled via Zoom.
  - Magistrate Dente ID: 2917971812 PW: 075142
  - Magistrate Ellis ID: 6498541619 PW: 239789
- The Magistrates will **not** hear any **emergency** hearings in family law cases.
- All counsel and pro se parties must be copied on the email, and where appropriate, **NO**

**EX-PARTE COMMUNICATION will be considered.**

## **MISCELLANEOUS INFORMATION REGARDING ALL HEARINGS:**

- Except for cancellations, there can be no changes, additions, swapping or other alterations to the motion calendar.
- **Notice.** A party/attorney scheduling a hearing must notice the matter in conformance with the applicable rules of procedure and ensure reasonable notice is served on all *pro se* parties and counsel of record in advance of the hearing.
  - The original notice must be timely filed with the Clerk of Court.
  - A hearing notice for all hearings that will be evidentiary and involve the presentation of evidence (affidavits, testimony, exhibits, etc.) **must** clearly indicate the words "**EVIDENTIARY HEARING**" on its title.
- The scheduling party/attorney is responsible for preparing and filing the Order of Referral according to Rule 5.095, FL Probate Rules, and Rule 12.490 FL Fam Law Rules.
- Please do NOT send copies or envelopes for Orders of Referrals unless there are *pro se* parties.
- If you **CANCEL** a hearing, you must file a **Notice of Cancellation**. You also must immediately cancel it through JACS. If a party has cross-noticed said motion, however, you are required to notify the cross-noticing party prior to JACS cancellation and provide them the opportunity to maintain the previously reserved time if they wish to do so. You may not cancel a cross-noticed motion hearing without the written consent of the other parties/counsel.
- Once a motion is scheduled through JACS, subsequent motions **may not be "piggybacked"** using the time reserved for the first motion absent prior approval of the Court. This does not preclude an independent reservation of another timeslot during the same hearing period for a different motion on the same case, provided the timeslot is appropriate in the length of time for the motion.
- **Reasonable Requests for Time.** If you need 30 minutes, ask for 30 minutes. Please don't ask, "Can I get in sooner if I only ask for 15 minutes?" You can't squeeze 30 minutes of argument in a 15-minute slot. You know it, and we know it. The Magistrate will limit the length of the hearing to the time requested. If you don't finish in time, the motion will have to be rescheduled. When estimating necessary hearing time, remember to include opposing counsel's time!

**NOTE: WHEN USING JUDICIAL DOWNLOADS DELETE ALL INSTRUCTIONS OR TEXT IN RED. PLEASE DO NOT SUBMIT PROPOSED REPORTS THAT ARE BLANK, IN REDLINE OR TRACKING CHANGES. EACH CASE WILL REQUIRE REVISIONS AND FURTHER FINDINGS OF FACT AS NECESSARY FOR YOUR CASE.**

**LINK TO DOWNLOADS:** [Magistrate Downloads](#)