

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
IN AND FOR HERNANDO COUNTY, FLORIDA
DON BARBEE JR., CIRCUIT JUDGE

STANDING ORDER FOR FAMILY LAW CASES

In an effort to maximize efficiency and provide clear direction, it is hereby
ORDERED

1. This standing order shall apply to all domestic relations matters assigned to Circuit Judge Don Barbee Jr.
2. **PAPERLESS:** 100% paperless is the goal. Please do not submit copies of motions, proposed orders, or anything else in paper format or through the U.S. Mail unless absolutely necessary and with prior approval. Evidence for remote hearings shall be handled as set forth in the standing order related to Zoom procedures.
3. **CASE MANAGEMENT:** Rule of Judicial Administration 2.250 establishes a presumptively reasonable time of 6 months to resolve contested family law cases. RJA 2.45 instructs judges and lawyers of their “professional obligation to conclude litigation as soon as it is reasonable and justly possible to do so.” Please remember this when your cases are assigned to this docket.
4. **ADMINISTRATIVE ORDERS:** Parties/counsel should familiarize themselves with H-2018-66 “Standing Domestic Relations Court Order” and A-2020-1 “Administrative Order Requiring Filing of Family Law Financial Affidavits Prior to Mediation.”
5. **TEMPORARY RELIEF:** Temporary relief is designed to be heard early in the litigation to protect the best interest of the children and the financial health of the parties. Hearing time will not be granted for temporary relief motions once the litigation has been protracted beyond 6 months absent exigent circumstances. Mediation is not required prior to a temporary relief hearing.

6. MOTION PRACTICE:

- a. Courtesy copies of emergency motions or those seeking an expedited response should be provided to the court at jshreiber@circuit5.org. Copies of standard motions should be filed with the Clerk and NOT copied to the Judge.
- b. “Meet and Confer”: Parties/counsel shall attempt to resolve any disputes prior to filing a motion or scheduling it for hearing. A certification that this requirement has been satisfied shall be included in any motion for an extension of time, discovery dispute, or similar request for relief.
- c. Legal Memorandum: While not required for Judge Barbee’s family law cases, legal memorandum are encouraged when counsel believes one may be helpful for the Court.
- d. Page Limitation: Absent prior permission of the Court, no party shall file a legal memorandum which exceeds ten (10) pages in length.
- e. Response: Opposing party shall have ten (10) days from receipt of a motion to file a response. Failure to timely respond may result in the issuance of an order as if motion was unopposed.
- f. Discovery: Motions related to the content of discovery shall include the interrogatory, question or request being challenged, the grounds for the objection, and the legal authority for the position taken by the movant.
- g. Oral Argument: Non-evidentiary motions will ordinarily be ruled upon by the contents of the motion and legal memorandum unless a hearing is required by law. This includes but is not limited to: motions to compel, extensions of time, substitute/withdrawal of counsel, leave to amend, and motions to dismiss. Hearing time for evidentiary motions or those required by law may be obtained by contacting the judicial assistant at jshreiber@circuit5.org.

7. **PROPOSED ORDERS:** Judge Barbee drafts the vast majority of his own orders for family law cases. If a proposed order is requested, it is to be submitted within five (5) days of the hearing in electronic format (Word or PDF) to jshreiber@circuit5.org.
8. **FAILURE TO COMPLY:** Should a party/counsel fail to abide by the terms of this standing order, the Court may deny the motion, strike the pleading, dismiss the action, or enforce the order through any appropriate sanction authorized by law.
9. **NO ACTION FROM THE COURT:** In the unlikely event that forty-five (45) has past without a ruling on your motion, please contact the judicial assistant to inquire.

If you have any questions about this standing order, please contact Jamie Shreiber, Judicial Assistant, at jshreiber@circuit5.org or (352)540-6655.

DONE AND ORDERED this 8TH day of January, 2021.



Don Barbee Jr.
Circuit Judge