

**IN THE CIRCUIT COURT FOR THE FIFTH JUDICIAL CIRCUIT  
IN AND FOR HERNANDO COUNTY, FLORIDA**

**ADMINISTRATIVE ORDER H-2023-43**

**ADMINISTRATIVE ORDER ASSIGNING DUTY JUDGE ROTATION  
FOR CALENDAR YEAR 2024**

**WHEREAS**, The Undersigned having considered there are times that an assigned Judge is not available to sign orders, warrants, or other documents that require immediate action; and

**WHEREAS**, realizing that it is in the best interest of judicial efficiency that there be a Judge assigned on a regular weekly basis to handle unusual and extraordinary requests or proceedings which require such immediate action; and

**WHEREAS**, further realizing that it would be unfair and inequitable to have one Judge permanently assigned to handle such matters, and that it would be in the best interest of fairness to rotate this duty among the various Judges of the county; and

**WHEREAS**, being otherwise advised in the premises, it is upon consideration **ORDERED AND ADJUDGED** as follows:

1) The Administrative Judge of Hernando County shall place the names of all circuit and county Judges in the county into a random rotation, and shall rotate weekly the names of the Judges in order to establish a sequence of weekly assignments as Duty Judge for such duties as described herein during the calendar year 2023. A schedule of such rotation shall be prepared, attached hereto, and become a part of this order. This duty shall be in addition to weekend First Appearance duties as assigned by the Chief Judge of the circuit.

2) The assigned Duty Judge shall be physically present in the courthouse, except for lunch or unforeseen circumstances, Monday through Friday, during normal working hours when the courthouse is open, to handle any matter necessary during the assigned week. The Duty Judge shall also be available to Hernando County after normal hours during his or her duty week. Court administration staff shall maintain an updated list of contact numbers for each judge. These phone numbers shall be used and distributed for judicial duties only. A duty week begins at 8:00 a.m. on Monday and lasts until 5:00 p.m. on Friday unless the holiday duty rotation dictates otherwise.

**SHOULD ANY JUDGE HAVE SCHEDULING CONFLICTS FOR HIS OR HER ASSIGNED WEEKLY DUTY, IT SHALL BE HIS OR HER RESPONSIBILITY TO CONTACT ANOTHER JUDGE TO BE AVAILABLE. ANY SWITCHING OF SUCH DUTY JUDGE ASSIGNMENTS SHALL BE DONE IN WRITING WITH COPIES TO THE FOLLOWING: ALL JUDGES, CLERK OF THE CIRCUIT COURT, STATE ATTORNEY, PUBLIC DEFENDER, HERNANDO COUNTY SHERIFF'S OFFICE, GENERAL COUNSEL AND 5<sup>TH</sup> CIRCUIT HELPDESK.**

DBMS

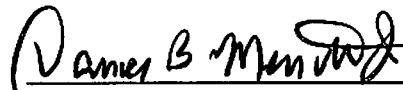
3) Nothing in this order shall preclude Judges from trading duty assignments or accepting responsibility for another Judge's duties by agreement, in writing, in the manner set forth herein.

4) Any County Court Judge who receives this duty is hereby assigned to act as a Judge of the Circuit Court of the Fifth Judicial Circuit should an emergency requiring the actions of a Circuit Judge arise during his or her duties. Likewise, any Circuit Court Judge who receives this duty is hereby assigned to act as a Judge of the County Court of Hernando County should an emergency requiring the actions of a County Judge arise during his or her duties.

5) The Administrative Judge, local Court Administration and the General Counsel shall at all times be kept advised, in writing, of all changes or modifications to the duty Judge schedule so they may maintain a master list of which Judge is responsible for coverage.

**It is FURTHER ORDERED and ADJUDGED** that this Order shall take effect at 12:01a.m. January 1, 2024 and shall rescind and replace Administrative Order H-2022-49 at that time.

**DONE and ORDERED** in Chambers in Brooksville, Hernando County, Florida, this 19<sup>th</sup> day of October 2023.



Daniel B. Merritt, Jr  
Chief Judge  
Fifth Judicial Circuit

## DUTY SCHEDULE FOR 2024<sup>(9/28/2023)</sup>

MONTH	WEEK OF	JUDGE	CHANGES
<b>January</b> <i>New Years Day 1st</i>	<b>2-5</b>	<b>Toner</b>	
	<b>8-12</b>	<b>Bell</b>	
<i>MLK 15<sup>th</sup></i>	<b>16-19</b>	<b>Merritt Jr.</b>	
<i>20-21 Merritt Jr.</i> <i>26<sup>th</sup> Merritt Jr.</i>	<b>22-25</b>	<b>Eineman</b>	
<i>Jan 27-28 Barbee</i> <b>February</b>	<b>Jan 29 – Feb 2</b>	<b>Barbee</b>	
	<b>5-9</b>	<b>Hitzemann</b>	
<i>10-11 Bell</i>	<b>12-16</b>	<b>Scaglione</b>	
<i>17-18 Hitzemann</i>	<b>19-23</b>	<b>Vergara</b>	
<b>March</b>	<b>Feb 26 – Mar 1</b>	<b>Toner</b>	
	<b>4-8</b>	<b>Bell</b>	
	<b>11-15</b>	<b>Merritt Jr.</b>	
	<b>18-22</b>	<b>Eineman</b>	
<i>23-24 Eineman</i> <i>Good Friday 29th</i>	<b>25-28</b>	<b>Barbee</b>	
<b>April</b>	<b>1-5</b>	<b>Hitzemann</b>	
<i>6-7 Scaglione</i>	<b>8-12</b>	<b>Scaglione</b>	
<i>13-14 Toner</i>	<b>15-19</b>	<b>Vergara</b>	
	<b>22-26</b>	<b>Toner</b>	
<i>Apr 27-28 Vergara</i> <b>May</b>	<b>Apr 29- May 3</b>	<b>Bell</b>	
	<b>6-10</b>	<b>Merritt Jr.</b>	
	<b>13-17</b>	<b>Eineman</b>	

## DUTY SCHEDULE FOR 2024<sup>(9/28/2023)</sup>

MONTH	WEEK OF	JUDGE	CHANGES
	20-24	Barbee	
25-27 Merritt Jr. Memorial Day 27 <sup>th</sup>	28-31	Hitzemann	
<b>June</b> 1-2 Barbee	3-7	Scaglione	
	10-14	Vergara	
15-16 Bell	17-21	Toner	
22-23 Hitzemann	24-28	Bell	
<b>July</b> July 4 <sup>th</sup> -5 <sup>th</sup> Holiday	1-3	Merritt Jr.	
County Conference 9-11	8-12	Eineman	
	15-19	Barbee	
	22-26	Vergara	
27-28 Eineman <b>August</b>	Jul 29 – Aug 2	Scaglione	
Circuit Conference 4-8	5-9	Hitzemann	7/22-7/26 Swap to cover circuit conference for Judge Vergara
10-11 Scaglione	12-16	Toner	
17-18 Toner	19-23	Bell	
	26-30	Merritt Jr.	
Aug 31-Sept 2 Vergara <b>September</b> Labor Day 2 <sup>nd</sup>	3-6	Eineman	
	9-13	Barbee	
	16-20	Hitzemann	
	23-27	Scaglione	
Sept 28-29, Oct 3 Merritt Jr. <b>October</b>	Sept 30- Oct 4	Vergara	

## DUTY SCHEDULE FOR 2024<sup>(9/28/2023)</sup>

MONTH	WEEK OF	JUDGE	CHANGES
<i>Rosh Hashanah 3rd</i>			
<b>October</b> <i>5-6 Barbee</i>	<b>7-11</b>	<b>Toner</b>	
	<b>14-18</b>	<b>Bell</b>	
<i>19-20 Bell</i>	<b>21-25</b>	<b>Merritt Jr.</b>	
<i>Oct 26-27 Hitzemann</i> <b>November</b>	<b>Oct 28 – Nov 1</b>	<b>Eineman</b>	
	<b>4-8</b>	<b>Barbee</b>	
<i>Veterans Day 11th</i>	<b>12-15</b>	<b>Hitzemann</b>	
	<b>18-22</b>	<b>Scaglione</b>	
<i>Nov 28- Dec 1 Eineman</i> <i>Thanksgiving 28<sup>th</sup>-29<sup>th</sup></i>	<b>25-27</b>	<b>Vergara</b>	
<i>Nov 28- Dec 1 Eineman</i> <b>December</b>	<b>2-6</b>	<b>Toner</b>	
	<b>9-13</b>	<b>Bell</b>	
<i>14-15 Scaglione</i>	<b>16-20</b>	<b>Merritt Jr.</b>	
<i>Chief Discretionary 24<sup>th</sup></i> <i>Christmas 25<sup>th</sup></i> <i>24-25 Toner</i>	<b>26-27</b>	<b>Eineman</b>	
	<b>Dec 30 - Jan 3</b>	<b>Barbee</b>	