

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
IN AND FOR HERNANDO COUNTY, FLORIDA
PROBATE DIVISION – DCB Special Assignment

STANDING ORDER ON PROBATE PRACTICE

Due to a recent retirement, the undersigned has agreed to assist with all pending probate matters. Please be patient as the Court has been reassigned more than 1100 cases (in addition to the Court’s regular” assignment). In an effort to maximize efficiency and provide clear direction/expectations, it is hereby **ORDERED**

1. This standing order shall apply to all probate matters heard by Circuit Judge Don Barbee Jr.
2. **PAPERLESS:** The Probate Division in Hernando County strives to be 100% paperless. Please do not submit proposed orders or copies of pleadings in paper format or through the U.S. Mail.
3. **PROPOSED ORDERS:** All proposed orders shall be submitted through the Florida Courts E-portal. Please do not submit proposed orders until all of the necessary predicate documents are visible in the online docket, i.e. do not file your motion/petition through the portal and send the proposed orders on the same day. Some of the most commonly “missing” items include the original will, death certificate, and spouse’s death certificate when he or she appears on the deed. There is no need to send courtesy copies of standard motions.
4. **HEARINGS:** Hearing times for probate cases may be obtained by sending an email to hernandoprobate@circuit5.org. Please include the case number, motion to be heard, and an estimate of the time you need for the hearing.
5. **TIMELINESS FOR COMPLETING ADMINISTRATION:** Counsel is reminded that Florida Probate Rule 5.400(c) requires that probate matters be completed within twelve (12) months of being issued

Letters of Administration. If you exceed 12 months, you may receive a “Notice of Expired Letters” or an order setting a Case Management Conference. To avoid the administrative closure of your case, and the possible revocation of letters of administration, please file a timely request for an extension. If your extension is based upon collateral litigation (wrongful death, etc), please include the case number and jurisdiction in your motion.

6. **EXTENSIONS BASED UPON COLLATERAL LITIGATION:** If your extension is based upon a wrongful death, asbestos, tobacco, or some other collateral litigation, the Court may administratively close the case allowing the personal representative to continue with his/her authority to prosecute/defend the civil action.
7. **LOST WILLS:** A Petition to Admit a Lost/Destroyed Will requires a hearing. *See Florida Probate Rule 5.510 and Brennan v. Brennan*, 30 So.3d 894 (Fla. 5th DCA 2010).
8. **HOMESTEAD:** This Court does not entertain stand-alone petitions to determine homestead property. Counsel/parties must file a petition for summary administration if the sole asset is a piece of homestead property.
9. If you have any questions about this standing order, please contact Jamie Shreiber, Judicial Assistant, at hernandoprobate@circuit5.org

RENEWED this 5th day of February, 2026.



Don Barbee Jr.
Circuit Judge