

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

STANDING ORDER FOR GUARDIANSHIP CASES

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

1. This standing order shall apply to all guardianship proceedings 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. This includes evidence – see below.
3. **SCHEDULING HEARINGS:** At the present time, all hearing requests shall be made through the Probate/Guardianship Division of the Hernando County Clerk of Circuit Court at (352)540-6366. Hearings are typically held on alternating Wednesday mornings in Courtroom G (3rd Floor) of the Hernando County Judicial Center. Emergency hearings may be requested by contacting the judicial assistant at hernandoprobate.org. Interpreting services must be requested well in advance of the hearing through the website at www.circuit5.org.
4. **MOTION PRACTICE:**
 - a. Courtesy copies of emergency motions or those seeking an expedited response should be provided to the court at hernandoprobate@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. All motions (other than dispositive motions) shall contain a certificate that a good faith effort has been made to resolve the dispute prior to filing the motion.
 - c. Legal Memorandum: Required for all written motions except continuance, discovery related, defaults, extension of time, or substitution/withdrawal of counsel. The Motion shall be titled “Motion to/for _____ and Memorandum of Law”.

- d. Response/Reply: Opposing party shall have ten (10) days from receipt of a motion to file a response (along with legal memorandum). Failure to timely respond may result in the issuance of an order as if motion was unopposed. If the movant believes a Reply is necessary to the Response, he/she shall immediately notify the judicial assistant via email at hernandoprobate@circuit5.org. The Court will defer ruling for 5 days awaiting receipt of the reply.
 - e. 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. Also, don't forget the meet and confer requirement from 4(b) above.
 - f. Oral Argument: Motions will ordinarily be ruled upon by the contents of the motion and legal memorandum. The exceptions to this general rule are (1) when a hearing is required by rule or statute (e.g. summary judgment) and (2) at the discretion of the Court upon written request of an interested party. The request for a hearing must accompany the motion and must estimate the time required for argument. If a hearing is required or approved by the Court, hearing time may be obtained by contacting the judicial assistant at hernandoprobate@circuit5.org.
 - g. Page Limitation: Absent prior permission of the Court, no party shall file a legal memorandum which exceeds ten (10) pages in length.
5. **APPEARING VIA ZOOM OR TELEPHONE:** Attorneys and parties are directed to Fla. R. Gen. Prac. & Jud. Admin. 2.530 when it comes to remote appearance for hearings. In a nutshell, if the parties stipulate to the remote appearance send in a proposed order. If the other side objects to a remote appearance, file a motion and set it for hearing.
6. **EVIDENCE (NON-JURY TRIALS AND JUDICIAL HEARINGS):** This Court does not accept paper evidence. Evidence for ALL bench trials and evidentiary hearings (Zoom and live) shall be submitted to the Court and opposing counsel electronically to hernandoprobate@circuit5.org at least 2 business days before the hearing/trial. The days of giant binders are over. The electronic exhibits should be in a commonly recognized format such as JPEG or PDF. **The exhibits are to be named in such a manner as to make them easily located such as "P#1 – Photo" etc.** and shall be submitted as separate documents (do not submit one PDF containing

multiple exhibits). Parties with a large number of exhibits should consider using “dropbox” or a secure zip file to transmit large amounts of evidence to the Court. Counsel and pro-se parties are directed to confer to maximize the use of stipulations. Pursuant to F.S. 90.202(6), the Court will take judicial notice of items already in the court file (pleadings, orders, financial affidavits, etc.) so those items need not be provided. Failure to follow these directives may result in the exclusion of your evidence.

6. **PROPOSED ORDERS:** Orders are to be submitted via the E-Portal per our webpage. Refer to our website for further instructions. <https://www.circuit5.org/submitted-proposed-orders/> Please be advised that orders that are sent through the E-Portal system are typically processed faster. Proposed orders should be submitted no more than 24 hours prior to the hearing and within five (5) days after the hearing is held and shall include a complete certificate of service. Do not EVER send paper proposed orders to the judicial assistant – they will be placed in the recycle bin.
7. **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.
8. **NO ACTION FROM THE COURT:** In the unlikely event that forty-five (45) days have passed 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 hernandoprobate@circuit5.org or (352)540-6655.

ORDERED this 18th day of June, 2026.



Don Barbee Jr.
Circuit Judge