

**IN THE THIRTEENTH JUDICIAL CIRCUIT  
HILLSBOROUGH COUNTY, FLORIDA**

**ADMINISTRATIVE ORDER S-2024-017  
(Supersedes Administrative Order S-2021-076)**

**TRUST ADMINISTRATION PROCEEDINGS**

In light of Administrative Order S-2023-056 (*East Division Reorganization*) which established East Circuit Division “O” as an additional circuit division to handle trust cases, it is necessary for the proper and efficient administration of justice to update the assignment provisions governing trust administration proceedings. By the power vested in the chief judge under article V, section 2(d), Florida Constitution; section 43.26, Florida Statutes; and Florida Rule of General Practice and Judicial Administration 2.215(b)(2), it is ORDERED:

**1. Assignment of Cases**

**A. Trust Code Proceedings**

The Clerk of the Circuit Court (clerk) will assign all proceedings filed under chapter 736, Florida Statutes (the Florida Trust Code) to Probate, Guardianship, Mental Health and Trust Divisions “A” and “B” based on a 5:3 ratio unless the trustee’s usual place of business or, if the trustee has no place of business, the trustee’s residence is in the East Division boundaries. If the trustee’s usual place of business or, if the trustee has no place of business, the trustee’s residence is in the East Division boundaries, the clerk will assign all proceedings filed under chapter 736, Florida Statutes, to East Circuit Division “O,” East Circuit Division “U” and East Circuit Division “W” based on a random equitable distribution. See Administrative Order S-2024-014 or any successor administrative order for the East Division boundaries.

**B. Transferred Cases**

In order to initially populate East Circuit Division “O” with its proportionate share of trust cases, an equitable number of trust cases from East Circuit Division “U” and East Circuit Division “W” will be transferred to East Circuit Division “O.” The clerk will coordinate the transfer of cases with the administrative judge and

the technology department of the Administrative Office of the Courts.

C. Other Civil Actions

All actions filed by or against a trustee that do not arise under chapter 736, Florida Statutes, are assigned to the Circuit Civil Division.

**2. Transfer of Case**

If it becomes apparent to either the administrative judge of the Probate, Guardianship, Mental Health and Trust Division or the administrative judge of the Circuit Civil Division, or both, that a case has been erroneously filed in either of the two divisions, the administrative judges will consult with each other and determine the appropriate division for the case. Either administrative judge may enter an order transferring a case from one subject matter division to another with the consent of the other administrative judge. If the administrative judges do not agree on the appropriate subject matter division for a case, the chief judge will make the decision.

**3. Consolidation of Case**

Consolidation of a trust administration case pending in the Probate, Guardianship, Mental Health and Trust Division with an independent, but related, action that is appropriately filed in the Circuit Civil Division is disfavored unless the right to jury trial, if any, has been waived by all parties in the action pending in the Circuit Civil Division.

**4. Reassignment of Case upon Judge's Disqualification**

A. East Division

If a judge presiding in East Circuit Division "O," "U," or "W" enters an order of disqualification, the clerk will reassign the case randomly and equitably to one of the other two divisions. If all three judges in East Division "O," "U," and "W" enter orders of disqualification, the clerk will reassign the case in a random and equitable fashion to Tampa Probate, Guardianship, Mental Health and Trust Division "A" or "B."

B. Tampa Division

If either of the judges assigned to Probate, Guardianship, Mental Health and Trust Division “A” or “B” enters an order of disqualification in a trust administration case, the case will be reassigned to the other division. If, after such reassignment, the successor judge enters an order of disqualification, the clerk will reassign the case in a random and equitable fashion to one of the standard Tampa Circuit Civil Divisions.

**5. Emergencies**

A. General

Application for emergency relief in a trust administration case will be made to the judge of the division to which the case is assigned for disposition. The term “absent from the courthouse” as used in the subsections below means being physically located outside of the respective court facility. The term does not include being in a hearing, jury trial, or non-jury trial.

B. East Division

If the presiding judge in East Circuit Division “O,” “U,” or “W” is absent from the courthouse, then emergency application in any trust administration case assigned to that judge’s division will be presented to the judge whose trust division next follows in alphabetical sequence if that judge is present in the courthouse. If all three judges assigned to the East Division “O,” “U,” and “W” are absent from the courthouse, then the emergency matter will be presented to the judge assigned to Probate, Guardianship, Mental Health and Trust Division “A” in Tampa. If the judge assigned to Probate, Guardianship, Mental Health and Trust Division “A” is absent from the courthouse, the clerk will follow the procedures in section 5.C. below.

C. Tampa Division

If either of the judges presiding in Probate, Guardianship, Mental Health and Trust Division “A” or “B” is absent from the courthouse, then emergency application in any trust administration case will be presented to the other judge. If the judges presiding in Probate, Guardianship, Mental Health and Trust Division “A” and “B” are both absent for the courthouse, then emergency application

will be presented to the administrative judge of the Circuit Civil Division. If the administrative judge of the Circuit Civil Division is absent from the courthouse, any emergency application will be presented to the duty judge (See [www.fljud13.org](http://www.fljud13.org) for duty judge assignment).

**6. Professional Conduct and Courtroom Decorum**

Counsel must adhere to The Florida Bar's Guidelines for Professional Conduct,<sup>1</sup> The Florida Bar's Professionalism Expectations<sup>2</sup> and the Hillsborough County Bar Association's Standards of Professionalism.<sup>3</sup> Each judge may announce and enforce additional requirements, or may excuse compliance with any provision(s) of the Guidelines, Expectations, or Standards, as that judge deems appropriate.

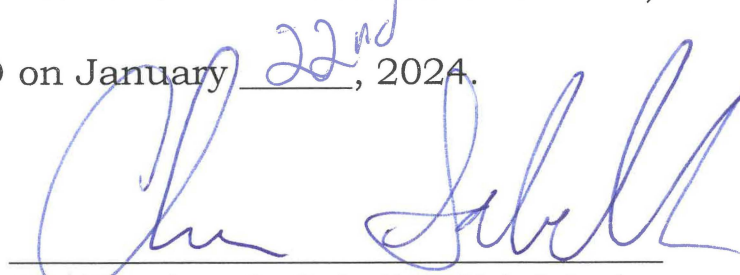
**7. Previous Administrative Order Superseded**

This administrative order supersedes Administrative Order S-2021-076 (*Trust Administration*).

**8. Effective Date**

This administrative order is effective March 1, 2024.

ENTERED on January 22<sup>nd</sup>, 2024.



\_\_\_\_\_  
Christopher C. Sabella, Chief Judge

Original: Cindy Stuart, Clerk of the Circuit Court  
Copy: All Probate, Guardianship, Mental Health and Trust  
Division Judges  
All Circuit Civil Division Judges  
All East Division Circuit Judges  
Hillsborough County Bar Association

---

<sup>1</sup> <https://www.floridabar.org/prof/regulating-professionalism/presources002/>

<sup>2</sup> <https://www.floridabar.org/wp-content/uploads/2017/04/professionalism-expectations.pdf>

<sup>3</sup> <https://www.hillsbar.com/page/Professionalism>