



State of Florida  
 Counties of Brevard and Seminole  
 Circuit Court Eighteenth Judicial Circuit

2825 Judge Fran Jamieson Way  
 Viera, Florida 32940-8006  
 (321) 637-5304 (Tel)  
 (321) 617-7225 (Fax)

**FORMAL PROBATE ADMINISTRATION CHECKLIST**

Estate of: \_\_\_\_\_ Case No.: \_\_\_\_\_

**FORMAL PROBATE ADMINISTRATION:**

ITEM	Description	Florida Statute	Probate Rule
1.	Petitioner's interest in estate, petitioner's name and address and name and address of petitioner's attorney.	§733.202; 733.301	5.200(a)
2.	Decedent's last known address, last 4 digits of SSN, date and place of death, and state and county of domicile.		5.200(b)
3.	Names & Addresses of beneficiaries (includes spouse and qualified trust beneficiaries, if any); date of birth, if minor. (If any beneficiary is deceased, include a copy of their death certificate.)		5.200(c)
4.	Statement showing venue.		5.200(d)
5.	The priority of the person whose appointment as Personal Representative is sought and a statement that they are qualified to serve under the laws of Florida.	§733.301, 733.302,	5.200(e)
6.	Statement whether domiciliary proceedings are pending in any other state. (If domiciliary proceedings are pending in another state, authenticated copies of certain documents must be filed with this Court.)	§734.102	5.200(f); 5.470
7.	Statement of the approximate value and nature of the assets.		5.200(g)
8.	<b>(Intestate)</b> Statement that after the exercise of reasonable diligence the petitioner is unaware of any unrevoked wills or codicils, a statement why the wills or codicils are not being probated. <b>(Testate)</b> Statement identifying all unrevoked wills and codicils being presented for probate.		5.200(h)  5.200(i)
9.	Prayer clause; petition includes request for Will and/or Codicil to be admitted to probate and/or appointment of Personal Representative.		5.030(a)

OATH/DESIGNATION OF RESIDENT AGENT			
ITEM	Description	Florida Statute	Probate Rule
1.	Oath of Personal Representative		5.320
2.	Designation of Resident Agent and Acceptance		5.110

ORDER(S):			
ITEM	Description	Florida Statute	Probate Rule
1.	Order Admitting Will to Probate and Appointing Personal Representative: - If Will is self-proven		5.235
2.	Letters of Administration		5.235

WAIVERS, CONSENTS, NOTICES			
ITEM	Description	Florida Statute	Probate Rule
1.	Waivers of Priority, Consent to Appointment and Waiver of Notice and Bond		5.180
2.	Notice of Petition for Administration		5.201

PROCEEDINGS TO DETERMINE HOMESTEAD			
ITEM	Description	Florida Statute	Probate Rule
1.	Petition to Determine Homestead Status of Real Property; Include Waivers signed by interested parties and/or certificate of service. (Orders will not be entered before the expiration of the credit claim period, without a hearing.)	§732.401, 732.4015	5.405
2.	Petition to Determine Exempt Property	§732.402	5.406

DEATH CERTIFICATE:			
ITEM	Description	Florida Statute	Probate Rule
1.	<input type="checkbox"/> Death Certificate on file. <input type="checkbox"/> Place of death on Petition is consistent with Death Certificate. <input type="checkbox"/> State and County of domicile on Petition are consistent with county listed on Death Certificate.		5.205(a)(1)

LAST WILL AND TESTAMENT:			
ITEM	Description	Florida Statute	Probate Rule
1.	Will is not self-proved. Oath of witness required. Oath of witness must be taken before a Florida Circuit Judge, Clerk, or Commissioner appointed by the Court.	§732.503; 733.201	5.230
2.	Copy of Will may be eFiled – original Will/Codicil shall be filed with the Court.		

OTHER:			
ITEM	Description	Florida Statute	Probate Rule
1.	Establishment and probate of a lost or destroyed Will.	§733.207	5.510
2.	Admitting foreign will to record <input type="checkbox"/> Decedent has been dead for 2 years. <input type="checkbox"/> Domiciliary Personal Representative has been discharged.	§734.104	

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<b>ANCILLARY ADMINISTRATION:</b>			
<b>ITEM</b>	<b>Description</b>	<b>Florida Statute</b>	<b>Probate Rule</b>
1.	Petition for ancillary letters shall include an authenticated copy of so much of the domiciliary proceedings as will show the Will, petition for probate, order admitting Will and authority of personal representative	§734.102	5.470