



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

Harry T. and Harriette V. Moore Justice Center
 2825 Judge Fran Jamieson Way
 Viera, Florida 32940-8006
 (321) 637-5304 (Tel)
 (321) 617-7225 (Fax)

SUMMARY ADMINISTRATION CHECKLIST

Estate: _____ Case No. _____ Date: _____

PETITION FOR SUMMARY ADMINISTRATION: Florida Statutes §735.201 and §735.203; Florida Probate Rule 5.530			
ITEM	Description	Florida Statute	Probate Rule
1.	Petitioner's interest in estate. Petition may be filed by any beneficiary or person nominated as personal representative in decedent's will offered for probate.	§735.203(1)	5.530(a)(1)
2.	Decedent's last known address, last 4 digits of SSN, date and place of death, and state and county of domicile.		5.530(a)(2)
3.	Names & addresses of surviving spouse and beneficiaries (include qualified trust beneficiaries, if applicable).	§735.203	5.530(a)(3)
4.	Statement showing venue.	§733.101	5.530(a)(4)
5.	Statement whether domiciliary proceedings are pending in any other state.	§734.104; 734.201	5.530(a)(5)
6.	Statement that the Decedent's will does not direct administration as required by chapter 733, Florida Statutes.	§735.201(1)	5.530(a)(6)
7.	Statement that the value of the entire estate, less the value of property exempt from claims of creditors, does not exceed \$75,000, or decedent has been dead for more than 2 years.	§735.201(2)	5.530(a)(7)
8.	Description of all assets in the estate and estimated value of each asset. <i>(A separate Petition to Determine Homestead Property and Petition to Determine Exempt Property shall be filed, if applicable)</i>		5.530(a)(8)
9.	Statement that creditors are barred, or a diligent search has been made to locate creditors and the penalty for failure to include creditors. ___ Statement that the estate is not indebted; or ___ Creditor information.	§735.206(2); 735.206(4)(d) & 735.206(4)(e)	5.530(a)(9) 5.530(a)(9)(A) 5.530(a)(9)(B)
10.	Statement that after exercise of reasonable diligence the petitioner is unaware of any other unrevoked will or codicil, or statement identifying all unrevoked wills and codicils being present for probate.		5.530(a)(10), (11)
11.	Schedule of proposed distribution –complete description of all assets and the person to whom each asset is to be distributed. (Same information shall be included on Order of Summary Administration.)		5.530(a)(12)

ORDER(S):			
ITEM	Description	Florida Statute	Probate Rule
1.	Order Admitting Will to Probate		5.530(c)
2.	Order of Summary Administration: Must contain the name of the beneficiary, a detailed description of the asset(s) and to whom each asset is to be distributed.		5.530(d)

NOTICES:			
ITEM	Description	Florida Statute	Probate Rule
1.	Consent and Waiver to Petition for Summary Administration from beneficiaries, heirs, or creditors not joining or consenting, including qualified beneficiaries of the Trust as defined in §736.0103) consenting to Petition (or) Formal Notice must be served and proof of service filed.	§735.203; 735.206(2)	5.040; 5.530(b)
2.	Notice to Creditors	§733.2121; 735.2063	5.475(b) & 5.475(c)

DEATH CERTIFICATE:			
ITEM	Description	Florida Statute	Probate Rule
1.	Death Certificate must be filed before orders are entered		5.205(a)(3)

LAST WILL AND TESTAMENT:			
ITEM	Description	Florida Statute	Probate Rule
1.	Original Last Will and Testament shall be deposited with the Court. Will must be executed in conformity with law and be self-proved.	§732.502; 732.503; 732.901(4)	

OTHER PROCEEDINGS AND REQUIREMENTS:			
ITEM	Description	Florida Statute	Probate Rule
1.	Establishment and probate of a lost or destroyed Will. Any interested person may establish the full and precise terms of a lost or destroyed will and offer the will for probate. The testimony of each witness in the proceeding shall be reduced to writing and filed; Formal Notice shall be provided to those, who but for the will, would be entitled to property devised. Order admitting the will shall state in full its terms and provisions. (Copy of will attached to Order is not acceptable.)	§733.207	5.510
2.	Admitting foreign will to record ___ Decedent has been dead for 2 years; or. ___ Domiciliary Personal Representative has been discharged.	§734.104	
3.	Notice of Trust	§736.05055	
4.	Ancillary Administration (Non-Resident Decedent)	§734.102; 734.1025; 735.201	5.470; 5.475

PROCEEDINGS TO DETERMINE HOMESTEAD & EXEMPT PROPERTY			
ITEM	Description	Florida Statute	Probate Rule
1.	Petition to Determine Homestead Status of Real Property; include notice to all interested parties (formal notice is not required).	§732.401, 732.4015	5.405
2.	Petition to Determine Exempt Property	§732.402	5.406