



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.: \_\_\_\_\_

<b>PETITIONER FOR FORMAL PROBATE ADMINISTRATION:</b>			
<b>ITEM</b>	<b>Description</b>	<b>Florida Statute</b>	<b>Probate Rule</b>
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, whether or not any other person has equal or higher preference, and if so, their name and whether they will be served with formal notice, and a statement that the person is 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.	(Testate) Statement that the original of the decedent's last will is in the possession of the court or accompanies the petition		5.200(j)

10.	Statement that the personal representative seeking appointment is qualified to serve under the laws of Florida as a business entity under section 733.305, Florida Statutes, or, if an individual, that the person is qualified to serve under the laws of Florida, including: (1) whether the person has been convicted of a felony; (2) whether the person has been convicted in any state or foreign jurisdiction of abuse, neglect, or exploitation of an elderly person or a disabled adult, as those terms are defined in section 825.101, Florida Statutes; (3) that the person is mentally and physically able to perform the duties of a personal representative; (4) that the person is 18 years of age or older; and (5) whether the person is a resident of Florida and, if not a resident, a statement of the person's relationship to the decedent in accordance with section 733.304, Florida Statutes		5.200(k)
11.	Prayer clause; petition includes request for Will and/or Codicil to be admitted to probate and/or appointment of Personal Representative		
<b>OATH/DESIGNATION OF RESIDENT AGENT:</b>			
ITEM	Description	Florida Statute	Probate Rule
1.	Oath of Personal Representative - notary public shall complete a jurat or notarial certificate and specify whether affiant appeared before the notary public by physical presence or by means of audio-video communication technology; whether affiant is personal known or produced identification, and if so, type of identification produced	§117.05(4)	5.320
2.	Designation of Resident Agent and Acceptance		5.110
<b>ORDER(S):</b>			
ITEM	Description	Florida Statute	Probate Rule
1.	Order Admitting Will to Probate and Appointing Personal Representative ( <b>testate</b> ); Order Appointing Personal Representative ( <b>intestate</b> )		5.235
2.	Letters of Administration		5.235
3.	All orders must be eFiled through the ePortal		
<b>WAIVERS, CONSENTS, NOTICES:</b>			
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
<b>DEATH CERTIFICATE:</b>			
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)
<b>LAST WILL AND TESTAMENT:</b>			
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	

2.	Copy of Will may be eFiled – original Will/Codicil shall be filed with the Court		
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**OTHER:**

ITEM	Description	Florida Statute	Probate Rule
1.	Establishment and probate of a lost or destroyed Will. Probate of a lost or destroyed will is an adversary proceeding under Florida Probate Rule 5.025; the order admitting the will shall state in full its terms and provisions.	§733.207	5.025; 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	

**ANCILLARY ADMINISTRATION:**

ITEM	Description	Florida Statute	Probate Rule
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