



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.	A statement of the interest of the petitioner, the petitioner's name and address, and the name and office address of the petitioner's attorney.	§733.202, §733.301	5.200(a)
2.	The name and last known address of the decedent, last 4 digits of the decedent's social security number, date and place of death of the decedent, and state and county of the decedent's domicile.		5.200(b)
3.	The names and addresses of the surviving spouse, if any, the beneficiaries and their relationship to the decedent and the year of birth of any beneficiaries who are minors (include qualified trust beneficiaries, if applicable).		5.200(c)
4.	Statement showing venue.	§733.101	5.200(d)
5.	The priority, under section 733.301, Florida Statutes, of the person whose appointment as the 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.	A statement whether domiciliary or principal proceedings are pending in another state or country, if known, and the name and address of the foreign personal representative and the court issuing letters.	§734.102	5.200(f); 5.470
7.	Statement of the approximate value and nature of the assets.		5.200(g)
8.	In an intestate estate, a statement that after the exercise of reasonable diligence the petitioner is unaware of any unrevoked wills or codicils, or if the petitioner is aware of any unrevoked wills or codicils, a statement why the wills or codicils are not being probated.		5.200(h)
9.	In a testate estate, a statement identifying all unrevoked wills and codicils being presented for probate, and a statement that the petitioner is unaware of any other unrevoked wills or codicils or, if the petitioner is aware of any other unrevoked wills or codicils, a statement why the other wills or codicils are not being probated.		5.200(i)
10.	In a testate estate, a statement that the original of the decedent's last will is in the possession of the court or accompanies the petition, or that an authenticated copy of a will deposited with or probated in another jurisdiction or that an authenticated copy of a notarial will, the original of which is in the possession of a foreign		5.200(j)

	notary, accompanies the petition.		
11.	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.	§733.302, §733.303 §733.304	5.200(k)
<b>OATH/DESIGNATION OF RESIDENT AGENT:</b>			
<b>ITEM</b>	<b>Description</b>	<b>Florida Statute</b>	<b>Probate Rule</b>
1.	Oath of Personal Representative		5.320
2.	Designation of Resident Agent and Acceptance		5.110
<b>ORDER(S):</b>			
<b>ITEM</b>	<b>Description</b>	<b>Florida Statute</b>	<b>Probate Rule</b>
1.	Order Admitting Will to Probate and Appointing Personal Representative ( <b>testate</b> ); Order Appointing Personal Representative ( <b>intestate</b> )		5.235(a)
2.	Letters of Administration		5.235(b)
3.	All orders are required to be e-filed through the e-portal		
<b>WAIVERS, CONSENTS, NOTICES:</b>			
<b>ITEM</b>	<b>Description</b>	<b>Florida Statute</b>	<b>Probate Rule</b>
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>			
<b>ITEM</b>	<b>Description</b>	<b>Florida Statute</b>	<b>Probate Rule</b>
1.	Death certificate		5.205(a)(1)
<b>LAST WILL AND TESTAMENT:</b>			
<b>ITEM</b>	<b>Description</b>	<b>Florida Statute</b>	<b>Probate Rule</b>
1.	Original Last Will and Testament shall be deposited with the Court. Will must be executed in conformity with law and be self-proved.	§732.901, §732.502, §732.503, §733.201	
<b>OTHER:</b>			
<b>ITEM</b>	<b>Description</b>	<b>Florida Statute</b>	<b>Probate Rule</b>
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.	§733.207	5.025, 5.510
<b>ANCILLARY ADMINISTRATION:</b>			

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