



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, each petitioner's name and address, and the name and office address of each petitioner's attorney. 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/are not pending in any other state or country; name of foreign personal representative and the court issuing letters, if applicable.	§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	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		5.530(a)(12)

ORDER(S):			
ITEM	Description	Florida Statute	Probate Rule
1.	Order Admitting Will to Probate; every will must be in writing. The testator must sign or acknowledge that he or she has signed in the presence of 2 witnesses and the will shall be proved in accordance with chapter 733 and be admitted to probate	§732.502; 732.503; 733.201	5.230; 5.530(c)
2.	Order of Summary Administration. If the court determines that the decedent's estate qualifies for summary administration, it must enter an order distributing the probate assets and specifically designating the person to whom each asset is to be distributed.	§735.206	5.530(d)
NOTICES:			
ITEM	Description	Florida Statute	Probate Rule
1.	Formal Notice of Petition for Summary Administration - Any beneficiary and any known or reasonably ascertainable creditor not joining or consenting must receive formal notice of the petition. Beneficiaries include qualified beneficiaries of the Trust, as defined in §736.0103(16).	§735.203; 735.206(2)	5.040; 5.530(b)
2.	Notice to Creditors and Proof of Publication of Notice to Creditors	§735.2063	5.241
DEATH CERTIFICATE:			
ITEM	Description	Florida Statute	Probate Rule
1.	Death Certificate - A copy of an official record of the death of a decedent shall be filed at any time prior to entry of the order of summary administration.		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 specific content of the will must be proved by the testimony of two disinterested witnesses or shall be proved by one disinterested witness. The petition shall include a statement of the facts constituting grounds on which relief is sought, and a statement of the contents of the will or, if available, a copy of the will. The testimony of each witness in the proceeding shall be reduced to writing; formal notice shall be given to those who, but for the will, would be entitled to the property thereby devised; order admitting the will shall state in full its terms and provisions.	§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.	§732.401, 732.4015	5.405; 5.041
2.	Petition to Determine Exempt Property	§732.402	5.406; 5.041