



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)
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SUMMARY ADMINISTRATION CHECKLIST

Estate: _____ **Case No.** _____ **Date** _____

PETITION FOR SUMMARY ADMINISTRATION: Florida Statutes §735.201, §735.203 and §735.206; 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.	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.		5.530(a)(2)
3.	The names and addresses of the surviving spouse, if any, and the beneficiaries and their relationship to the decedent and the year of birth of any who are minors (include qualified trust beneficiaries, if applicable).	§735.203(3), §732.102, §732.103	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.		5.530(a)(5)
6.	Statement that the decedent's will, if any, does not direct administration as required by chapter 733, Florida Statutes.	§735.201(1)	5.530(a)(6)
7.	A statement that the value of the entire estate subject to administration in this state, less the value of property exempt from the claims of creditors, does not exceed \$75,000 or that the decedent has been dead for more than 2 years.	§735.201(2)	5.530(a)(7)
8.	A description of all assets in the estate and the estimated value of each, and a separate description of any protected homestead and exempt property.		5.530(a)(8)
9.	A statement either: that all creditors' claims are barred or that a diligent search and reasonable inquiry for any known or reasonably ascertainable creditors has been made and one of the following: ___ 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.	In an intestate estate, a statement that after the exercise of reasonable diligence each petitioner is unaware of any unrevoked wills or codicils.		5.530(a)(10)

11.	In a testate estate, a statement identifying all unrevoked wills and codicils being presented for probate, and a statement that each petitioner is unaware of any other unrevoked will or codicil.		5.530(a)(11)
12.	A schedule of proposed distribution of all probate assets and the person to whom each asset is to be distributed.		5.530(a)(12)
AFFIDAVIT OF HEIRS			
1.	The court requires that an Affidavit of Heirs is filed in all intestate estate.		

ORDER(S):

ITEM	Description	Florida Statute	Probate Rule
1.	Order Admitting Will to Probate. In a testate estate, on the filing of the petition for summary administration, the decedent's will must be proved and admitted to probate.	§732.502, §732.503, §733.201	5.530(c), 5.230
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(19).	§735.203, §735.206(2)	5.040, 5.530(b)

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.	§732.901, §732.502, §732.503, §733.201	5.230

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, if a correct copy is provided, it shall be proved by one disinterested witness. The petition shall include a statement of the facts	§733.207	5.025, 5.510

	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 and filed; 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. Probate of a lost or destroyed will is an adversary proceeding under Florida Probate Rule 5.025.		
2.	Notice of Trust	§736.05055	
3.	Ancillary Administration (Non-Resident Decedent)		5.470
PROCEEDINGS TO DETERMINE HOMESTEAD & EXEMPT PROPERTY; ORDER(S);			
ITEM	Description	Florida Statute	Probate Rule
1.	Petition to Determine Homestead Status of Real Property; the petition must be served on interested persons by formal notice. Order to Determine Homestead Status of Real Property.	§732.401, §732.4015	5.405; 5.041
2.	Petition to Determine Exempt Property; include notice to all interested parties. Order to Determine Exempt Property.	§732.402	5.406; 5.041