

**State of Florida
Ninth Judicial Circuit of Florida**

Office of:
Lawrence R. Kirkwood
Circuit Court Judge
ORANGE COUNTY COURTHOUSE
425 N. ORANGE AVENUE
ORLANDO, FLORIDA 32801
<http://www.ninthcircuit.org>

ESTATE OF:

CASE NO.:

OBSERVATIONS:

The items marked by an "X" were omitted from the file and/or pleadings submitted. Please file corrective pleadings and mail to: Clerk of Court Probate Division, P. O. Box 4994, Orlando, Florida, 32802-4994, for submission to the Court. If you object to this request and feel you have complied with the Florida Statutes, the Probate Rules, and the case law with what you have previously filed, please set your case for a scheduled hearing (NOT AT EX PARTE) and give notice to all parties.

Please Note: The clerk will not submit the proposed orders to the court for review until all items have been received.

Petition for Summary Administration (Testate):

	Statement of interest of petitioner(s).
	Address of petitioner(s).
	Last known address of decedent.
	Date of death of decedent or date listed conflicts with Death Certificate.
	Place of death of decedent is not consistent with Death Certificate.
	State and County of decedent's domicile or conflicts with county listed on Death Certificate.
	Name and address of surviving spouse. Death Certificate shows decedent as "married".
	Name and address of beneficiary or beneficiaries and their relationship to decedent.
	Date of birth of minor beneficiary.
	Statement showing venue.
	Statement regarding original Will being in the possession of court or accompanying petition.
	Statement that after the exercise of reasonable diligence the petitioner is unaware of any other unrevoked will or codicil.
	Statement regarding whether or not domiciliary proceedings exist .

Observation continued.

	(Nonresident decedent).
	A statement that describes authenticated copy of Will (and Codicils).
	Statement as to why petitioner(s) are entitled to summary administration.
	Complete list of exempt and non-exempt assets and their estimated value.
	Statement regarding diligent search and reasonable inquiry for any known or reasonably ascertainable creditors.
	Statement that the estate is not indebted.
	Statement that all creditors' claims are barred.
	Schedule of distribution of assets to beneficiaries and creditors.
	Petition fails to request court to admit decedent's last will (and codicils) to probate and enter an order of summary administration that directs distribution of assets.
	Attorney did not sign Petition.
	Attorney's Name, Address, Florida Bar number and phone number.
	Petitioner did not sign petition.
	Petition is not verified.

Death Certificate:

	Death certificate not filed.
	Death certificate reflects different county of residence. If death certificate is incorrect, an amended death certificate or affidavit must be filed. Otherwise, venue must be transferred.

Funeral Bill:

	Proof that funeral expenses have been paid in full.
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Notice to Beneficiaries, Heirs, or Creditors:

	Consent and Waiver to Petition for Summary Administration from beneficiaries, heirs, or creditors not joining or consenting to Petition –or- Formal Notice must be served and proof of service filed.
	Proof of Service of Formal Notice.

Last Will and Testament:

	Will is not self-proved. Oath of witness required. Oath of witness must be taken before a Florida Circuit Judge, Clerk, or Commissioner appointed by the Court. <ul style="list-style-type: none">• If deputy clerk administers oath to witness, please submit \$3 fee to Orange County Clerk of Court.
	Witnesses to Will have not been located. Proof of Will must be taken before a before a Florida Circuit Judge, Clerk, or Commissioner appointed by the Court. <ul style="list-style-type: none">• If deputy clerk administers oath, please submit \$3 fee to Orange County Clerk of Court.
	Affidavit of Diligent Search must be filed to show what was done to locate

Observation continued.

	witnesses to Will.
	Will is not an original. Original Will must be filed. –or- procedure for lost or destroyed will must be followed.
	Authenticated copies of domiciliary proceedings not submitted.

Codicil:

	Codicil(s) not self-proved. Oath of witness required. Oath of witness must be taken before a Florida Circuit Judge, Clerk, or Commissioner appointed by the Court. <ul style="list-style-type: none">• If deputy clerk administers oath to witness, please submit \$3 fee to Orange County Clerk of Court.
	Witnesses to Codicil(s) have not been located. Proof of Codicil must be taken before a Florida Circuit Judge, Clerk, or Commissioner appointed by the Court. <ul style="list-style-type: none">• If deputy clerk administers oath, please submit \$3 fee to Orange County Clerk of Court.
	Affidavit of Diligent Search must be filed to show what was done to locate witnesses to Codicil(s).
	Codicil is not an original. Original codicil must be filed. –or- procedure for lost or destroyed codicil must be followed.

Proposed Order Admitting Will/Codicil to Probate:

	Proposed Order Admitting Will/Codicil to Probate not submitted. (___ self-proved/ ___ non self-proved).
	Incorrect spelling of name(s) or incorrect dates on proposed Order Admitting Will/Codicil to Probate.
	Proposed Order omits names of witnesses to Will/Codicil.
	Order Admitting Will/Codicil of Nonresident to Probate not submitted.

Proposed Order of Summary Administration:

	Proposed Order of Summary Administration not submitted.
	Proposed Order of Summary Administration does not include required 3" x 3" recording space in upper right-hand corner.
	Proposed Order of Summary Administration does not follow Bar Form.
	Proposed Order of Summary Administration has a typographical error in date of death or spelling of name(s).
	Proposed Order of Summary Administration does not include name and address of beneficiary or beneficiaries.
	Proposed Order of Summary Administration does not include a description of assets to be disbursed.
	Proposed Order of Summary Administration only includes a partial description of the asset(s). Please provide a full description that includes legal description of property, all financial institution information such as name and account number,

Observation continued.

	insurance policy number, check number, or vehicle identification number, if applicable.
	Proposed Order of Summary Administration does not include share or amount of asset that beneficiary is to receive.

Miscellaneous:

	Objection filed. Hearing required.
	Hearing required in order to establish lost/destroyed Will or Codicil.
	Death certificate of beneficiary not filed:
	A caveat by interested party or creditor has been filed. Formal notice must be served and proof of formal notice filed.
	Claim(s) has/have been filed. Submit Satisfaction of Claim(s), make provision for creditor(s) to be paid within the proposed Order of Summary Administration, or file proof of service of petition(s) to creditor(s).
	Copy of the pages from the trust agreement that names the trustee(s) not filed.
	Other:
	Judge WILL NOT sign any order with only his signature on the last page.
	Judge WILL NOT sign any order that is a facsimile. Please submit original.
	Self-addressed, stamped envelope not provided for copies.

Date Reviewed: May 12, 2008

CC:

Enclosure: Proposed Order(s).