

IN THE CIRCUIT COURT IN AND FOR ORANGE COUNTY, FLORIDA

CHECKLIST FOR OPENING FORMAL ADMINISTRATION

Estate of: _____ Case No: _____

Date of Death: _____ Attorney of Record: _____

Age at Death: _____ Marital Status: _____

Decedent's Residence as Listed on Death Certificate:

Type of Estate: Testate Intestate Ancillary

NOTE TO COUNSEL: Please fill out both columns of this checklist completely to assist the court in processing your client's pleading. If you do not provide correct dates in the Date Filed column for each item where a "YES" answer is provided, the checklist will be incomplete and the court will deny the petition on that basis.

	Attorney Certification			CONFIRMATION BY COUNSEL
	YES	NO	N/A	DATE FILED
1. Certified Death Certificate Filed?				
2. Last Will and Testament				
Original Will filed? (or authenticated copy for ancillary) 5.200(j)				
Date of Will: _____ Date of Codicil: _____	Fill in information to left			
If applicable, Notice of Trust # _____ If other than this case, original Will filed in: Court Case # _____ 732.901 Guardianship # _____ Caveat # _____ 731.110 <small>[If an heir-notify attorney, must serve formal notice before further action may be taken 5.260(f); If a creditor-send Notice to Caveator when Letters are issued 5.260(e)]</small>	Fill in information to the left, if applicable			
If a copy is filed, a petition to establish lost will complying with Rule 5.510 & 5.025 and F.S. 733.207 has been filed?				
Will is self-proved? 732.503, 733.201 If applicable, <input type="checkbox"/> self-proved under law where executed; <input type="checkbox"/> authority provided from other state where executed				
If not self-proved, an oath of witness is filed? 733.201(2)				

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	YES	NO	N/A	DATE FILED
Properly executed? 732.502				
If not, proper oath? 733.201(2)/(3)				
3. Petition for Administration contains the following information:				
A statement showing interest of petitioner 5.200(a)				
Petitioner's name and address 5.200(a)				
Petitioner's attorney's name and office address 5.200(a)				
Name of decedent 5.200(b)				
Last known address of decedent 5.200(b)				
Decedent's last four social security numbers 5.200(b)				
Date and place of death of the decedent 5.200(b)				
State and county of decedent's domicile 5.200(b)				
Name, address of surviving spouse, if any, and beneficiaries/heirs 5.200(c)				
Relationship to the decedent 5.200(c)				
Year of birth of any minor beneficiaries 5.200(c)				
Trust beneficiaries included pursuant to 731.201(2)				
If Trust/Trustee (of living trust) is a beneficiary has Notice of Trust been filed? 736.05055(1)				
Statement of venue 5.200(d)				
A statement as to whether domiciliary proceedings are pending in another state or country 5.200(f)				
Name and address of foreign personal representative and Court issuing letters, if any 5.200(f)				
A statement showing approximate value and nature of assets 5.200(g)				
Signed by petitioner 5.020(a)				
Signed by attorney 5.020(a)				
The verified petition complies with 5.200 and 5.020(e)				
A statement in an intestate estate that: 5.200(h) <input type="checkbox"/> Each Petitioner is unaware of any unrevoked wills or codicils, or <input type="checkbox"/> Why the wills or codicils are not being probated				If yes, mark boxes on left
A statement in a testate estate that: 5.200(i)(j) <input type="checkbox"/> Identify all unrevoked wills and codicils being presented for probate; and <input type="checkbox"/> Petitioner is unaware of any other unrevoked wills or codicils, or : <input type="checkbox"/> A statement of why any other wills or codicils are not being probated <input type="checkbox"/> The original of decedent's will () is in possession of the Court () accompanies petition () an authenticated copy of a will deposited with or probated in				

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	YES	NO	N/A	DATE FILED
another jurisdiction accompanies the petition 5.200(j)				
Establishment and probate of lost or destroyed will 5.510 / 733.207 <input type="checkbox"/> Copy of will 5.510(b) <input type="checkbox"/> Testimony of witness 5.510(c) / 733.207 <input type="checkbox"/> Notice to those who, but for the will, would inherit 5.510(d) <input type="checkbox"/> Order states full terms & provisions 5.510(e)				
Ancillary Administration 5.470 / 734.102 <input type="checkbox"/> Authenticated copies: () Will () Petition () Order admitting will () Letters 5.470(a)(1) <input type="checkbox"/> Formal notice 5.470(b)(1)/(2)				
4. PERSONAL REPRESENTATIVE				
Does the Petition Show Priority of Petitioner to Serve as Personal Representative: 5.200(e)				
Intestate 733.301(a)(b) <input type="checkbox"/> Surviving spouse 733.301(1)(b)1 <input type="checkbox"/> Selected by majority in interest of heirs 733.301(1)(b)2 <input type="checkbox"/> Heir nearest in degree (if more than one applies, court may select the one best qualified) 733.301(1)(b)3 <input type="checkbox"/> Guardian of property of a ward entitled to appointment, or may exercise right to select personal representative 733.301(2) <input type="checkbox"/> If not entitled to preference, notice given 5.201(b)				
Testate 733.301(1)(a) <input type="checkbox"/> Personal representative, or successor, nominated by the will 733.301(1)(a) <input type="checkbox"/> Selected by a majority in interest of persons entitled to the estate 733.301(1)(a)2 <input type="checkbox"/> A devisee under the will (if more than one applies, court may select the best one qualified) 733.301(1)(a)3 <input type="checkbox"/> If not entitled to preference, notice given or consent 5.201(b)				
If Petitioner is a nonresident, does Petition show that he/she is qualified to serve? 733.304 <input type="checkbox"/> Legally adopted child or adoptive parent of the decedent 733.304(1) <input type="checkbox"/> Related by lineal consanguinity to the decedent 733.304(2) <input type="checkbox"/> Spouse, brother, sister, uncle, aunt, nephew, or niece - or someone related by lineal consanguinity to any such person				

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733.304(3) <input type="checkbox"/> The spouse of a person otherwise qualified to serve 733.304(4)				
5. Bond of Personal Representative				
Bond waived in will 733.402 (1)				
Bond waived by all interested parties and waivers are attached 5.235(c)				
6. Miscellaneous				
Date of filing of Notice Regarding Original Will as required in every case pursuant to Administrative Order No. 2021-24 (except ancillary administration cases)				
Affidavit of Heirs <u>only if intestate</u> – must be in the form required by Administrative Order No. 2022-08				
Proposed Order Admitting Will/Codicil 5.530(c)				
Proposed Order Appointing P/R 5.235(a)(1) (may be combined with Order Admitting Will)				
Proposed Order provided for Bond, if applicable 5.235(a)(2)				
Oath of Personal Representative and Designation of Registered Agent <input type="checkbox"/> Notarized 5.235(a)(3) / 5.320 <input type="checkbox"/> Resident Agent Accepted 5.110(d)				If yes, mark boxes on left
Proposed Letters of Administration 5.235(b)				

I certify that I have personally reviewed the foregoing checklist, and it is accurate. I have included the dates of the pleadings in this checklist. In making this certification, I have relied upon the information set forth in the pleadings and court filings.

Signature of Attorney for Estate: _____

Printed Name of Attorney for Estate: _____

Date: _____ **Phone Number:** (____) _____

Mailing Address: _____

City: _____ **State:** _____ **Zip:** _____

Email address: _____