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 CITRUS COUNTY, FLORIDA

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**FORMAL PROBATE ADMINISTRATION CHECKLIST**

Estate of: \_\_\_\_\_ Case No.: \_\_\_\_\_

**Formal Probate Petition for Administration**

Item	Description	Florida Statute	Probate Rule
1.	Petitioner's interest in estate, petitioner's name and address and name and address of petitioner's attorney.	§733.202; 733.301	5.200(a)
2.	Decedent's last known address, last 4 digits of SSN, date and place of death, and state and county of domicile.		5.200(b)
3.	Names & Addresses of beneficiaries (includes spouse and qualified trust beneficiaries, if any); date of birth, if minor.		5.200(c)
4.	Statement showing venue.		5.200(d)
5.	The priority of the person whose appointment as Personal Representative is sought and a statement that they are qualified to serve under the laws of Florida.	§733.301; 733.302	5.200(e)
6.	Statement whether domiciliary proceedings are pending in any other state. (If domiciliary proceedings are pending in another state, authenticated copies of certain documents must be filed with this Court.)	§734.102	5.200(f); 5.470
7.	Statement of the approximate value and nature of the assets.		5.200(g)
8.	<b>(Intestate)</b> Statement that after the exercise of reasonable diligence the petitioner is unaware of any unrevoked wills or codicils, a statement why the wills or codicils are not being probated. <b>(Testate)</b> Statement identifying all unrevoked wills and codicils being presented for probate.		5.200(h) 5.200(i)
9.	Prayer clause; petition includes request for Will and/or Codicil to be admitted to probate and/or appointment of Personal Representative.		5.030(a)

**Order(s):**

Item	Description	Florida Statute	Probate Rule
1.	Order Admitting Will to Probate and Appointing Personal Representative (Testate); Order Appointing Personal Representative (Intestate)		5.235
2.	Letters of Administration		5.235

**Waivers, Consents, Notices:**

Item	Description	Florida Statute	Probate Rule
1.	Petition to Waive Bond	§733.402	5.235(c)
2.	Waivers of Priority, Consent to Appointment and Waiver of Notice and Bond		5.180; 5.201

Formal Administration Checklist

Proceedings To Determine Homestead:			
Item	Description	Florida Statute	Probate Rule
1.	Petition to Determine Homestead Status of Real Property; Include Waivers signed by interested parties or Formal Notice all Interested Parties; or schedule a hearing notifying all interested parties, including creditors.	§732.401, 732.4015	5.405
2.	Petition to Determine Exempt Property; Include Waivers signed by interested parties or Formal Notice all Interested Parties; or schedule a hearing notifying all interested parties, including creditors.	§732.402	5.406

Death Certificate:			
Item	Description	Florida Statute	Probate Rule
1.	___Death Certificate on file. ___Place of death on Petition is consistent with Death Certificate. ___State and County of domicile on Petition are consistent with county listed on Death Certificate.		5.205(a)(1)

Last Will And Testament:			
Item	Description	Florida Statute	Probate Rule
1.	If 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. If attesting witness cannot be found or if testimony cannot be taken, the oath of the nominated PR or any person having no interest in the estate who believes the writing to be the true last will and testament of the decedent. (See Fla. Prob. R. 5.230 for appointment of commissioner)	§732.503; 733.201	5.230
2.	Will is an original Will		

Other:			
Item	Description	Florida Statute	Probate Rule
1.	Establishment and probate of a lost or destroyed Will.	§733.207	5.510
2.	Admitting foreign will to record ___Decedent has been dead for 2 years. ___Domiciliary Personal Representative has been discharged.	§734.104	

Ancillary Administration:

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.

Intestate:

All intestate probate administrations should include the following:

1. Affidavit of Heirs – must use the form found on the Citrus County Clerk of Court and Comptroller website at [www.citrusclerk.org](http://www.citrusclerk.org) – Click on Courts – click on Probate – under Related Documents click on Affidavit of Heirs
2. Receipt of **paid** funeral expenses