IN THE CIRCUIT COURT IN AND FOR ORANGE/OSCEOLA COUNTY, FLORIDA

CHECKLIST FOR SUMMARY 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 <u>both</u> columns of this checklist completely to assist the court in processing your client's pleading. <u>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.</u>

		Attorney Certification			CONFIRMATION BY COUNSEL
		YES	NO	N/A	DATE FILED IN COURT FILE
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 [If caveat has been filed, notify attorney, must serve formal notice on the Caveator before further action can be taken on Petition for Summary 5.260(f); If a creditor-send Notice to Caveator when Letters are issued 5.260(e)]	**Fill in information to the left, if applicable**			
	If a copy is filed, a petition to establish lost will complying with 5.510 & 5.025 and 733.207 has been filed?	☐	☐	☐	
	Will is self-proved? 732.503, 733.201 If applicable, ☐ self-proved under law where executed; ☐ authority provided from other state where executed	☐	☐	☐	
		If yes, mark boxes on left			

		Attorney Certification			CONFIRMATION BY COUNSEL
		YES	NO	N/A	DATE FILED IN COURT FILE
	If not self-proved, an oath of witness is filed? 733.201(2)	☐	☐	☐	
	Properly executed? 732.502	☐	☐	☐	
	If not, proper oath? 733.201(2) / (3)	☐	☐	☐	
3.	**Does the Petition for Summary Administration Contain the Following Information?**				
	A statement showing interest of petitioner(s) 5.530(a)(1)	☐	☐	☐	
	Petitioner's name and address 5.530(a)(1)	☐	☐	☐	
	Petitioner's attorney's name and office address 5.530(a)(1)	☐	☐	☐	
	Name of decedent 5.530(a)(2)	☐	☐	☐	
	Last known address of decedent 5.530(a)(2)	☐	☐	☐	
	Decedent's last four social security numbers 5.530(a)(2)	☐	☐	☐	
	Date and place of death of the decedent 5.530(a)(2)	☐	☐	☐	
	State and county of decedent's domicile 5.530(a)(2)	☐	☐	☐	
	Names and addresses of surviving spouse/beneficiaries/heirs 5.530(a)(3)	☐	☐	☐	
	Relationship to the decedent 5.530(a)(3)	☐	☐	☐	
	Year of birth of any minor beneficiaries 5.530(a)(3)	☐	☐	☐	
	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 5.530(a)(4)	☐	☐	☐	
	A statement whether domiciliary or principal proceedings are pending in another state or country 5.530(a)(5)	☐	☐	☐	
	Name and address of foreign personal representative and Court issuing letters, if any 5.530(a)(5)	☐	☐	☐	
4.	**Has the Court Been Provided Information Relative to Existence of a Will?**				
	A statement in an **intestate estate** that: 5.530(a)(10) ☐ Each Petitioner is unaware of any unrevoked wills or codicils, **or** ☐ Why the wills or codicils are not being probated	☐	☐	☐ **If yes, mark boxes on left**	
	A statement in a **testate estate** that: 5.530(a)(11) ☐ Identify all unrevoked wills and codicils being presented for probate; **and** ☐ Petitioner is unaware of any other unrevoked wills or codicils, **or**: ☐ A statement of why any other wills or codicils are not being probated ☐ The original of decedent's will ☐ is in possession of the Court ☐ accompanies petition	☐	☐	☐ **If yes, mark boxes on left**	

	Attorney Certification			CONFIRMATION BY COUNSEL
	YES	NO	N/A	DATE FILED IN COURT FILE
☐ an authenticated copy of a will deposited with or probated in another jurisdiction accompanies the petition 5.200(j)				
Establishment and probate of lost or destroyed will 5.510 / 733.207 ☐ Copy of will 5.510(b) ☐ Testimony of witness 5.510(c) / 733.207 ☐ Notice to those who, but for the will, would inherit 5.510(d) ☐ Order states full terms & provisions 5.510(e)	☐	☐	☐	
	If yes, mark boxes on left			
Ancillary Administration 5.470 / 734.102 ☐ Authenticated copies: ☐ Will ☐ Petition ☐ Order admitting will ☐ Letters 5.470(a)(1) ☐ Formal notice 5.470(b)(1)/(2)	☐	☐	☐	
	If yes, mark boxes on left			
5. Does the Petition Contain Facts that Entitle Decedent's Estate to Summary Administration?				
In a **testate estate**, that the decedent's will does not direct administration as required by 5.530(a)(6) / 733 and 735.201(1)	☐	☐	☐	
That the value of the entire estate subject to administration in this state, less the value of property exempt from claims of creditors: ☐ Does not exceed $75,000 5.530(a)(7) / 735.201(2) **or** ☐ Decedent has been dead for more than 2 years 735.201(2) [5.530(a)(7) (with respect to persons dying after 7/1/89) / 733.710(1)]	☐	☐	☐	
	If yes, mark boxes on left			
A schedule of all assets of the estate and their estimated value 5.530(a)(8) [separately designating homestead and exempt property]	☐	☐	☐	
A statement in regard to the indebtedness of the estate 5.530(a)(9) ☐ That all creditors' claims are barred; 5.530(a)(9)(A) **or** ☐ A statement that a diligent search and reasonable inquiry has been made for known or ascertainable creditors; 5.530(a)(9)(B) **and** ☐ That the estate is not indebted 5.530(a)(9)(B)(i) ☐ Name and address of each creditor, nature of debt, amount of debt, and when debt is due 5.530(a)(9)(B)(ii) If provision for payment of debt has been made other than for full payment in proposed order of distribution, the following shall be shown: The name of the person who will pay the debt.	☐	☐	☐	
	If yes, mark boxes on left			

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	The creditor's written consent for substitution or assumption of the debt by another person. The amount to be paid if the debt has been compromised. The terms for payment by any limitations on the liability if the person paying the debt 5.530(a)(9)(B)(ii)				
	A proposed schedule of distribution of all assets and the person to whom each asset is to be distributed 5.530(a)(12) / 735.206	☐	☐	☐	
6.	**Is the Petition Filed By:**				
	☐ Beneficiary ☐ Heir at law ☐ Person nominated as personal representative 735.203(1)	**Fill in applicable information to the left**			
7.	**Is the Petition Properly Executed? 735.203**				
	☐ Verified 5.530(a) / 735.203(1) ☐ Signed by surviving spouse 735.203(1) ☐ Signed by heirs at law or beneficiaries who are *sui juris* 735.203(1) ☐ Signed by guardian of any heir/beneficiary who is not *sui juris* /incapacitated 735.203(2)(b) ☐ Signed by person(s) described by 735.203(2)(a) or (c) ☐ Signed by attorney 5.020(a)	**Fill in applicable information to the left**			
8.	**Miscellaneous**				
	Has formal notice been served on any heir, beneficiary, or creditor not joining or consenting to the Petition? 5.530(b) / 735.203(1)	☐	☐	☐	
	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 only if intestate – must be in the form required by Administrative Order No. 2022-08	☐	☐	☐	
	Proposed Order Admitting Will/Codicil 5.530(c)	☐	☐	☐	
	Funeral Bill and proof of payment in full filed?	☐	☐	☐	
	Proposed Order of Summary Administration 5.530(a)(12)(d) ☐ Specific as to assets and to whom distributed	☐	☐	☐	

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: _____