

**IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT,
IN AND FOR LAKE COUNTY, FLORIDA**

ADMINISTRATIVE ORDER L-2023-27

**RE: GOVERNING MANDATORY FILING OF AFFIDAVIT OF HEIRS
IN ESTATE ADMINISTRATIONS IN LAKE COUNTY**

WHEREAS, Article V, section 2(d) of the Florida Constitution and section 43.26, Florida Statutes, charges the chief judge with the authority to promote the prompt and efficient administration of justice in the courts over which he or she is chief judge; and,

WHEREAS, the Florida Supreme Court, pursuant to Rule 2.215(5) of the Florida Rules of General Practice & Judicial Administration permits the Chief Judge to designate a judge in any court or court division as an Administrative Judge; and,

WHEREAS, the undersigned, the Honorable James R. Baxley, has been designated by the Chief Judge as Administrative Judge for Lake County, pursuant to Rule 2.215(b)(5), Florida Rules of General Practice and Judicial Administration; and,

WHEREAS the fair, efficient, and proper administration of matters of probate is in the interest of the public and the courts of Lake County; and,

WHEREAS, the purpose of the requirement of filing a standardized Affidavit of Heirs is to alert attorneys and self-represented litigants of the need to file the Affidavit of Heirs in estate cases and to ensure complete information is provided to the court concerning the potential heirs in each estate so that estate cases can be efficiently probated.

WHEREAS, it is deemed necessary and appropriate for the

prompt, effective, and efficient administration of justice within the Courts of Lake County, Florida; with the advice and consent of the Chief Judge of the Fifth Judicial Circuit and all Lake County Judges who handle probate cases;

It is **THEREFORE ORDERED** as follows:

1. All litigants must file the attached Affidavit of Heirs in every probate case filed within Lake County. This requirement may be waived in an appropriate case by petition or motion to the court.
2. Litigants must fill-in all required sections of the Affidavit. The Affidavit must be notarized. Any filing subject to this Administrative Order which fails to include the Affidavit of Heirs may be rejected and thus have to be refiled in compliance with this requirement.

DONE AND ORDERED in chambers in Tavares, Lake County, Florida, this 14th day of August 2023.



JAMES R. BAXLEY
ADMINISTRATIVE JUDGE,
LAKE COUNTY, FLORIDA

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
IN AND FOR LAKE COUNTY, FLORIDA

IN RE: ESTATE OF

CASE NO.: 35-20__ CP 00__

Deceased.

AFFIDAVIT OF HEIRS

For purposes of this document, you must list **ALL RELATIVES** of the Decedent, including yourself, if applicable. If the relative was deceased at the time of the Decedent's death, please provide the deceased relative's name, indicate deceased, and the date of death. Answering with not applicable (N/A), or any other such designation is inappropriate for this document. If there is no person in the respective category, please indicate "**None**". When appropriate you must indicate if the relationship is that of a half-relative (ie. Half-brother or half-sister). (**attach separate page for additional information indicating corresponding paragraph number**)

The undersigned, _____(name), does not have /

has an interest in this estate.

I am not I am related to the Decedent as follows: _____

I have know the Decedent for _____ years.

2. Spouse of the Decedent. (provide name, date of birth, and address. If deceased, provide name and date of death).

3. Decedent's former spouse(s) (due to death or divorce). (provide name, date of birth, and address. If former spouse(s) is/are deceased, provide name(s) and date of death(s).

If Decedent and former spouse were divorced, provide former spouse(s) name and date of divorce).

4. Child(ren) of the Decedent, or descendants of deceased child(ren). (provide name, date of birth, and address. If any child(ren) are deceased, provide name and date of death).

If Decedent has any grandchild(ren) from any predeceased child(ren) (provide name, date of birth and address of each grandchild(ren)).

If any child(ren) are **NOT biologically related to BOTH the Decedent and the Decedent's spouse at the time of death**, provide the name of that particular child(ren)'s other biological parent.

If the surviving spouse has children who are **NOT** the child(ren) of the Decedent, provide name, date of birth and address).

5. Parents of the Decedent. (provide name, date of birth, and address. If deceased, provide name and date of death).

6. Siblings of the Decedent, or descendants of deceased siblings. (provide name, date of birth, and address. If deceased, provide name and date of death).

You must indicate whether the relationship is that of a half-relative (ie. Half-brother or half-sister). If any sibling(s) have predeceased the Decedent, you must list the deceased sibling(s) children, if any.

7. Grandparents. (provide name, date of birth, and address. If deceased, provide name and date of death).

8. Aunts and Uncles of the Decedent. (provide name, date of birth, and address. If deceased, provide name and date of death).

9. If there are any relatives who have survived the Decedent and are not listed in the categories specified above, provide name, relationship to the Decedent, date of birth, and address.

UNDER PENALTY OF PERJURY, I SWEAR OR AFFIRM THAT I HAVE READ THE FOREGOING AFFIDAVIT OF HEIRS AND THE FACTS STATED HEREIN ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

Affiant's Signature

Print Name: _____

Address: _____

City, State, Zip: _____

State of Florida

County of _____

Sworn to (or affirmed) and subscribed before me by means of _____ physical presence, this _____ day of _____, 20____, _____ (affiant name).

____ Personally Known

____ Produced Identification/Type of ID: _____

Print, Type or Stamp Commissioned
Notary Public or Deputy Clerk

Name of Notary Public / Deputy Clerk