

# IN THE CIRCUIT COURT IN AND FOR SUMTER COUNTY, FLORIDA

## CHECKLIST FOR OPENING FORMAL ADMINISTRATION

Estate of: \_\_\_\_\_ Case No: \_\_\_\_\_ CP \_\_\_\_\_

Date of Death: \_\_\_\_\_ Attorney of Record: \_\_\_\_\_

Age at Death: \_\_\_\_\_ Marital Status: \_\_\_\_\_

Decedent's Residence as Listed on Death Certificate:

Type of Estate:    Testate ☐    Testate/Trust ☐    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 determined to be incomplete, and the court may deny the petition on that basis.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Attorney Certification |    |     | DATE FILED |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|----|-----|------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | YES                    | NO | N/A |            |
| <b>1. Certified Death Certificate Filed?</b>                                                                                                                                                                                                                                                                                                                                                                                                                                |                        |    |     |            |
| <b>2. Last Will and Testament</b>                                                                                                                                                                                                                                                                                                                                                                                                                                           |                        |    |     |            |
| Original Will filed? (or authenticated copy for ancillary) 5.200(j)                                                                                                                                                                                                                                                                                                                                                                                                         |                        |    |     |            |
| Date of Will: _____<br>Date of Codicil: _____                                                                                                                                                                                                                                                                                                                                                                                                                               |                        |    |     |            |
| If applicable, Notice of Trust # _____<br><br>If other than this case, original Will filed in:<br>Court Case # _____ 732.901<br>Guardianship Case # _____<br>Caveat # _____ 731.110<br><small>[(If an Interested Person Caveator then notify AOR who must serve formal notice before further action may be taken 5.260(f); If a Creditor Caveator, Clerk to send Notice to Caveator when Letters are issued 5.260(e) (unless proof that Notice was already served)]</small> |                        |    |     |            |
| If a copy is filed, has a Petition to Establish Lost Will complying with Rule 5.510 & 5.025 and F.S. 733.207 been filed?                                                                                                                                                                                                                                                                                                                                                    |                        |    |     |            |
| Will is self-proved? 732.503, 733.201<br>If applicable, <input type="checkbox"/> self-proved under law where executed;<br><input type="checkbox"/> authority provided from other state where executed                                                                                                                                                                                                                                                                       |                        |    |     |            |
| 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)                                                                                                                                                                                                                                                                                                                                                                                                                                         |                        |    |     |            |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  | Attorney Certification |    |     | DATE FILED |                            |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  | YES                    | NO | N/A |            |                            |
| <b>3. Petition for Administration contains the following information:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |                        |    |     |            |                            |
| 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)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |                        |    |     |            |                            |
| A statement in an <b>intestate estate</b> that: 5.200(h)<br><input type="checkbox"/> Each Petitioner is unaware of any unrevoked Wills or Codicils, <b>or</b><br><input type="checkbox"/> Why the Wills or Codicils are not being probated                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  |                        |    |     |            | If yes, mark boxes on left |
| A statement in a <b>testate estate</b> that: 5.200(i)(j)<br><input type="checkbox"/> Identify all unrevoked Wills and Codicils being presented for probate; <b>and</b><br><input type="checkbox"/> Petitioner is unaware of any other unrevoked Wills or Codicils, <b>or</b> :<br><input type="checkbox"/> A statement of why any other Wills or Codicils are not being probated<br><input type="checkbox"/> The original of decedent's Will<br><input type="checkbox"/> is in possession of the Court<br><input type="checkbox"/> accompanies petition<br><input type="checkbox"/> an authenticated copy of a Will deposited with or probated in another jurisdiction accompanies the petition 5.200(j) |  |                        |    |     |            | If yes, mark boxes on left |
| Establishment and probate of lost or destroyed will 5.510 / 733.207<br><input type="checkbox"/> Copy of Will 5.510(b)<br><input type="checkbox"/> Testimony of witness 5.510(c) / 733.207<br><input type="checkbox"/> Notice to those who, but for the Will, would inherit 5.510(d)<br><input type="checkbox"/> Order states full terms & provisions 5.510(e)                                                                                                                                                                                                                                                                                                                                            |  |                        |    |     |            | If yes, mark boxes on left |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  | Attorney Certification     |    |     | DATE FILED |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  | YES                        | NO | N/A |            |
| <b>Ancillary Administration (5.470 / 734.102)</b><br>To comply with 5.470(a)(1), (b)(1)-(2) the following are needed:<br><input type="checkbox"/> Authenticated copies: <input type="checkbox"/> Will <input type="checkbox"/> Petition<br><input type="checkbox"/> Order admitting Will <input type="checkbox"/> Letters<br><input type="checkbox"/> Formal notice                                                                                                                                                                                           |  |                            |    |     |            |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  | If yes, mark boxes on left |    |     |            |
| Signed by petitioner 5.020(a)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |                            |    |     |            |
| Signed by attorney 5.020(a)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |                            |    |     |            |
| The verified petition complies with 5.200 and 5.020(e)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |                            |    |     |            |
| <b>4. PERSONAL REPRESENTATIVE</b><br><b>Does the Petition Show Priority of Petitioner to Serve as Personal Representative: 5.200(e)</b>                                                                                                                                                                                                                                                                                                                                                                                                                       |  |                            |    |     |            |
| <b>Intestate 733.301(a)(b)</b><br><input type="checkbox"/> Surviving spouse 733.301(1)(b)1<br><input type="checkbox"/> Selected by majority in interest of heirs 733.301(1)(b)2<br><input type="checkbox"/> Heir nearest in degree (if more than one applies, court may select the one best qualified) 733.301(1)(b)3<br><input type="checkbox"/> Guardian of property of a ward entitled to appointment, or may exercise right to select personal representative 733.301(2)<br><input type="checkbox"/> If not entitled to preference, notice given 5.201(b) |  |                            |    |     |            |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  | If yes, mark boxes on left |    |     |            |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  |                            |    |     |            |
| <b>Testate 733.301(1)(a)</b><br><input type="checkbox"/> Personal representative, or successor, nominated by the Will 733.301(1)(a)<br><input type="checkbox"/> Selected by a majority in interest of persons entitled to the estate 733.301(1)(a)2<br><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<br><input type="checkbox"/> If not entitled to preference, notice given or consent 5.201(b)                                                                       |  |                            |    |     |            |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  | If yes, mark boxes on left |    |     |            |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  |                            |    |     |            |
| If Petitioner is a nonresident, does Petition show that he/she is qualified to serve? 733.304<br><input type="checkbox"/> Legally adopted child or adoptive parent of the decedent 733.304(1)<br><input type="checkbox"/> Related by lineal consanguinity to the decedent 733.304(2)<br><input type="checkbox"/> Spouse, brother, sister, uncle, aunt, nephew, or niece - or someone related by lineal consanguinity to any such person 733.304(3)<br><input type="checkbox"/> The spouse of a person otherwise qualified to serve 733.304(4)                 |  |                            |    |     |            |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  | If yes, mark boxes on left |    |     |            |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  |                            |    |     |            |

|                                                                                                                                                                                            |  | Attorney Certification |                            |     | DATE FILED |
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|                                                                                                                                                                                            |  | YES                    | NO                         | N/A |            |
| <b>5. Bond of Personal Representative</b>                                                                                                                                                  |  |                        |                            |     |            |
| Bond waived in Will 733.402 (1)                                                                                                                                                            |  |                        |                            |     |            |
| Bond waived by all interested parties and waivers are attached 5.235(c)                                                                                                                    |  |                        |                            |     |            |
| <b>6. Miscellaneous</b>                                                                                                                                                                    |  |                        |                            |     |            |
| Affidavit of Heirs (pursuant to Administrative Order L-2023-27)                                                                                                                            |  |                        |                            |     |            |
| Notice Regarding Original Will (pursuant to Administrative Order L-2023-28)                                                                                                                |  |                        |                            |     |            |
| Oath of Personal Representative and Designation of Registered Agent<br><input type="checkbox"/> Notarized 5.235(a)(3) / 5.320<br><input type="checkbox"/> Resident Agent Accepted 5.110(d) |  |                        | If yes, mark boxes on left |     |            |
| Checklist for Opening Formal Administration (pursuant to Amended Administrative Order L-2022-24-A)                                                                                         |  |                        |                            |     |            |
|                                                                                                                                                                                            |  |                        |                            |     |            |
| <b>Proposed Orders</b>                                                                                                                                                                     |  |                        |                            |     |            |
| <b>7.</b> Proposed Order Admitting Will/Codicil 5.530(c)                                                                                                                                   |  |                        |                            |     |            |
| Proposed Order Appointing P/R 5.235(a)(1) (may be combined with above Order)                                                                                                               |  |                        |                            |     |            |
| Proposed Order provided for Bond, if applicable 5.235(a)(2)                                                                                                                                |  |                        |                            |     |            |
| Proposed Letters of Administration 5.235(b)                                                                                                                                                |  |                        |                            |     |            |
|                                                                                                                                                                                            |  |                        |                            |     |            |

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

Attorney/Litigant for Estate: \_\_\_\_\_ Date: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone Number: (\_\_\_\_) \_\_\_\_\_ Email address: \_\_\_\_\_

Attorney/Movant Signature: \_\_\_\_\_