

ADMINISTRATIVE ORDER
NO. 2021-09-05

IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT, IN AND
FOR ORANGE AND OSCEOLA
COUNTIES, FLORIDA

**AMENDED ADMINISTRATIVE ORDER GOVERNING MANDATORY USE OF
CERTIFICATION CHECKLISTS IN ESTATE ADMINISTRATIONS**

In the interest of ensuring fair, efficient, and proper administration of matters in the Probate Divisions of the Ninth Judicial Circuit, a series of Probate Certification Checklists were created that provide case filing guidance to litigants. The Probate Certification Checklists were specifically designed to streamline the processing of cases to reduce the number of submission rejections, by ensuring litigants submit certain required documents. In order to carry out this effort in a fair and efficient manner, it is necessary to implement procedural changes to effectively utilize the limited resources available to the Probate Divisions to process the increasing volume of probate cases.

By the power vested in the chief judge under Article V, section 2(d) of the Florida Constitution, section 43.26, Florida Statutes, and rule 2.215 of the Florida Rules of General Practice and Judicial Administration, **effective immediately**, to continue until further order and superseding any provisions in prior Administrative Orders which may be inconsistent, it is **ORDERED**:

When submitting proposed orders in estate administrations, all litigants must utilize the appropriate Certification Checklists which shall be submitted as a supporting document to the related submission and are attached hereto as:

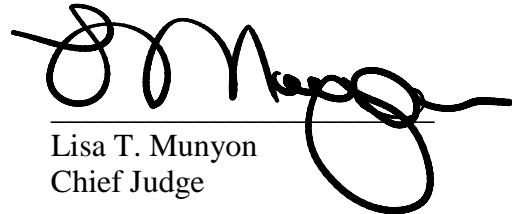
- “Exhibit A” – Checklist for Opening Formal Administration
- “Exhibit B” – Checklist for Closing Formal Administration
- “Exhibit C” – Checklist for Summary Administration
- “Exhibit D” – Checklist for Determining Homestead Status of Real Property in Formal and Summary Administration
- “Exhibit E” – Notice Regarding Original Will
- “Exhibit F” – Affidavit of Heirs

Litigants shall make all necessary elections, and fill-in all required sections of the applicable Certification Checklist. Any submission without an accompanying Probate Certification Checklist may be rejected and thus have to be resubmitted.

All litigants must also file the Notice Regarding Original Will pursuant to Administrative Order 2021-24 with the opening of any estate circuit-wide, except ancillary administrations and an Affidavit of Heirs pursuant to Administrative Order 2022-08 in every intestate probate case filed. See Exhibits “E” and “F” attached hereto and Administrative Orders 2021-24 and 2022-08. <https://ninthcircuit.org/resources/admin-orders>.

Administrative Order 2021-09-04 is vacated and set aside except to the extent that it has been incorporated and/or amended herein. Vacating an Administrative Order that vacates a prior Order does not revive the prior Order.

DONE AND ORDERED at Orlando, Florida, this 31st day of October, 2022.



Lisa T. Munyon
Chief Judge

Copies provided to:

Clerk of Court, Orange County
Clerk of Court, Osceola County
General E-Mail Distribution List
<http://www.ninthcircuit.org>

IN THE CIRCUIT COURT IN AND FOR ORANGE/OSCEOLA 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? <i>(or authenticated copy for ancillary)</i> 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)				

“Exhibit A”

	Attorney Certification			CONFIRMATION BY COUNSEL
	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				If yes, mark boxes on left

“Exhibit A”

	Attorney Certification			CONFIRMATION BY COUNSEL
	YES	NO	N/A	DATE FILED
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 of Filing of 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)				
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: _____

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

CHECKLIST FOR CLOSING 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. Notice of Administration Served as Required by 5.240				
Surviving spouse served? 5.240(a)(1) No surviving spouse: <input type="checkbox"/>				
Proof of Service to Spouse filed?				
If surviving spouse is not served is waiver signed and filed as required by 5.240(e)?				
All beneficiaries served? 5.240(a)(2)				
Proof of Service to all beneficiaries filed?				
If all beneficiaries are not served are waivers signed and filed as required by 5.240(e)?				
Trustee of trust served as described in 733.707(3)? 5.240(a)(3) No Trust: <input type="checkbox"/>				
Proof of Service to trustee filed?				
If trustee is not served are waivers signed and filed as required by 5.240(e)?				
If the trustee is also a personal representative, has each qualified beneficiary of the trust as defined in 736.0103(16) been served? 5.240(a)(3)				
Trustee is not a personal representative: <input type="checkbox"/>				
Proof of Service to each qualified beneficiary of the trust filed?				
All persons who may be entitled to exempt property as defined in 732.402 served? 5.240(a)(4) None: <input type="checkbox"/>				

“Exhibit B”

	Attorney Certification			CONFIRMATION BY COUNSEL
	YES	NO	N/A	DATE FILED
Proof of Service to all persons who may be entitled to exempt property served?				
2. Notice to Creditors as Required by 5.241 and 733.2121				
Notice to Creditors has been served on Agency for Health Care Administration as required by 733.2121(d)? Decedent not 55+: <input type="checkbox"/>				
Proof of Service to Agency for Health Care Administration filed?				
Was Notice to Creditors required to be served on Department of Revenue?				
If so, was Department of Revenue served?				
Proof of Service of Inventory filed?				
All other known creditors have been served and Proof of Service has been filed?				
Proof of Publication of Notice of Creditors filed? 5.241				
If Proof of publication is not filed, are claims barred as described in 733.710(1)? Proof of Publication filed: <input type="checkbox"/>				
Verified Diligent Search and Statement Regarding Creditors filed within 4 months of 1 st publication date as required by 5.241(d)? Claims barred: <input type="checkbox"/>				
3. Verified Inventory Filed Within 60 Days from the Issuance of Letters of Administration as Required by 5.340 and 733.604				
Surviving spouse served as required by 5.340(d)? No surviving spouse: <input type="checkbox"/>				
Proof of Service to spouse filed?				
Each Heir at Law in an intestate estate served as required by 5.340(d)? Not intestate: <input type="checkbox"/>				
Proof of Service to Each Heir at Law filed?				
Each residuary beneficiary in a testate estate served as required by 5.340(d)? Not testate: <input type="checkbox"/>				
Proof of Service to each residuary beneficiary filed?				
All other interested person(s), who have requested the Inventory in writing, served as required by 5.340(d)? None: <input type="checkbox"/>				
Proof of Service to all other interested person(s) filed?				
4. Notice to Nonresiduary Beneficiaries as Required by 5.340(f) and 733.604				
All nonresiduary beneficiaries have been provided: <input type="checkbox"/> Written notice of their right to receive a written explanation of how the inventory value for each asset distributed to them, or proposed to be distributed to them, was determined; or <input type="checkbox"/> Written notice of their right to receive a copy of an appraisal, if any, of the assets.				If yes, mark boxes on left
5. Creditors 733.705 and 733.710(1) Estate is NOT indebted <input type="checkbox"/>				
Claims are barred as described in 733.710(1)?				
All filed claims are satisfied?				

“Exhibit B”

		Attorney Certification			CONFIRMATION BY COUNSEL
		YES	NO	N/A	DATE FILED
	All filed claims that are not satisfied are settled?				
	Objection to claim has been filed as described in 733.705(2)?				
	No Independent Action has been timely filed as described in 733.705(5)?				
6. Taxes 5.395 and 198.32					
	Affidavit of No FL Tax Due filed as described in 198.32?				
	Notice of Federal Tax Return served on all Interested Parties?				
	Tax Return due nine months from date of death or _____ (date)				
	Federal Estate Tax Closing Letter filed?				
7. Civil Actions and Adversary Proceedings 5.025 and 5.065					
	Any adversary proceedings filed? 5.025				
	If yes, have proceedings been disposed?				
	Any Notice of Civil Actions filed? 5.065				
	If yes, have proceedings been disposed?				
8. Final Accounting Complying with 5.400 , 5.180, and 731.302					
	Final Accounting filed in accordance with 5.400(c)?				
	Were all Interested Persons served? No final accounting filed: <input type="checkbox"/>				
	Any objections to final accounting filed? No final accounting filed: <input type="checkbox"/>				
	All objections resolved? No final accounting filed: <input type="checkbox"/>				
	If Final Accounting was not filed, are waivers by all interested parties filed in accordance with 5.180? <input type="checkbox"/>				
9. Petition for Discharge Complying with 5.400 Filed					
	Petition for Discharge signed by the Personal Representative? 5.330(g)				
	Petition for Discharge served on all interested persons? 5.400(c)				
	If Petition for Discharge has not been served, are consents filed?				
	The 30 day time period is expired for filing objections to the discharge?				
	Are there any unresolved objections to the Petition for Discharge?				
Name of Interested Persons served with Petition for Discharge:					
	1. Waiver () or Date Served (/ /)				
	2. Waiver () or Date Served (/ /)				
	3. Waiver () or Date Served (/ /)				
	4. Waiver () or Date Served (/ /)				
	5. Waiver () or Date Served (/ /)				
	6. Waiver () or Date Served (/ /)				
	7. Waiver () or Date Served (/ /)				

“Exhibit B”

	Attorney Certification			CONFIRMATION BY COUNSEL
	YES	NO	N/A	DATE FILED
10. Plan of Distribution Complying with 5.400(b)(5) Filed				
Report of Distribution filed as required by 5.400(e)?				
If Report of Distribution is not filed are waivers filed as described in 5.180(b)? Proof filed: <input type="checkbox"/>				
11. Beneficiaries/Heirs				
Receipts from all beneficiaries/heirs filed? Waivers filed: <input type="checkbox"/>				
12. Compensation Fees Paid 5.400(b)				
Petition for Discharge shows compensation paid to attorneys, accountants, personal representative(s) and others employed by the personal representative(s)?				
Petition for Discharge shows the manner of determining compensation?				
13. Miscellaneous				
Petition to Determine Exempt Property filed? 5.406 / 732.402				
Order Determining Exempt Property issued?				
Petition to Determine Homestead Exemption filed? 5.405				
Order Determining Homestead Exemption issued?				
Petition to Determine Family Allowance filed? 5.407				
Order Determining Family Allowance issued?				
Petition to Determine Beneficiaries filed? 5.385				
Order Determining Beneficiaries issued?				
The State of Florida checked for unclaimed property? https://www.fltreasurehunt.org				
Death Certificate of any beneficiaries filed?				

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 the 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: _____

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 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 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 <small>[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)]</small>	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, <input type="checkbox"/> self-proved under law where executed; <input type="checkbox"/> authority provided from other state where executed	If yes, mark boxes on left			

“Exhibit C”

	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) <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: 5.530(a)(11) <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				

“Exhibit C”

	Attorney Certification			CONFIRMATION BY COUNSEL
	YES	NO	N/A	DATE FILED IN COURT FILE
(<input type="checkbox"/>) 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 <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: (<input type="checkbox"/>) Will (<input type="checkbox"/>) Petition (<input type="checkbox"/>) Order admitting will (<input type="checkbox"/>) Letters 5.470(a)(1) <input type="checkbox"/> Formal notice 5.470(b)(1)/(2)				
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: <input type="checkbox"/> Does not exceed \$75,000 5.530(a)(7) / 735.201(2) or <input type="checkbox"/> 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)]				
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) <input type="checkbox"/> That all creditors’ claims are barred; 5.530(a)(9)(A) or <input type="checkbox"/> A statement that a diligent search and reasonable inquiry has been made for known or ascertainable creditors; 5.530(a)(9)(B) and (<input type="checkbox"/>) That the estate is not indebted 5.530(a)(9)(B)(i) (<input type="checkbox"/>) 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 <u>payment</u> 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.				

“Exhibit C”

	Attorney Certification			CONFIRMATION BY COUNSEL
	YES	NO	N/A	DATE FILED IN COURT FILE
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:				
<input type="checkbox"/> Beneficiary <input type="checkbox"/> Heir at law <input type="checkbox"/> Person nominated as personal representative 735.203(1)	Fill in applicable information to the left			
7. Is the Petition Properly Executed? 735.203				
<input type="checkbox"/> Verified 5.530(a) / 735.203(1) <input type="checkbox"/> Signed by surviving spouse 735.203(1) <input type="checkbox"/> Signed by heirs at law or beneficiaries who are <i>sui juris</i> 735.203(1) <input type="checkbox"/> Signed by guardian of any heir/beneficiary who is not <i>sui juris</i> /incapacitated 735.203(2)(b) <input type="checkbox"/> Signed by person(s) described by 735.203(2)(a) or (c) <input type="checkbox"/> 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 <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)				
Funeral Bill and proof of payment in full filed?				
Proposed Order of Summary Administration 5.530(a)(12)(d) <input type="checkbox"/> Specific as to assets and to whom distributed				

“Exhibit C”

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: _____

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

CHECKLIST FOR DETERMINING HOMESTEAD STATUS OF REAL PROPERTY IN FORMAL AND 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

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?				
Date of Will: _____ Date of Codicil: _____	Fill in information to left			
If applicable, Notice of Trust # _____ Deposited Will # _____ 732.901 Guardianship # _____ Caveat # _____ 731.110 <small>[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)]</small>	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, <input type="checkbox"/> self-proved under law where executed; <input type="checkbox"/> authority provided from other state where executed				
	If yes, mark boxes on left			

“Exhibit D”

	Attorney Certification			CONFIRMATION BY COUNSEL
	YES	NO	N/A	DATE FILED
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 Determining Homestead Status of Real Property Contain the Following Information? FPR 5.405(b)				
(1) the date of decedent's death				
(2) the county of the decedent's domicile at the time of death;				
(3) the name of the decedent's surviving spouse/descendants; and whether they are minor children, identified with name and year of birth;				
(4) a Legal description of the property owned and resided on by the decedent;				
Whether the real property constituted the protected homestead of the decedent; 5.405(c)				
Formal Notice or Consent by interested parties 5.040/5.041				
4. List of Beneficiaries:				

5. List of Creditors:				

6.				
Intestate: F.S.732.401(1) Does the Proposed Order provide for a Life Estate for Spouse? Affidavit of Heirs filed if Pro Se or if represented in an intestate estate as required by the judge in Orange or Osceola County?	YES	NO	N/A	CONFIRMED
Testate: F.S.732.4015(1) Is there a Surviving Spouse or minor child?	YES	NO	N/A	CONFIRMED

“Exhibit D”

		Attorney Certification			CONFIRMATION BY COUNSEL
		YES	NO	N/A	DATE FILED
7. For Formal Administration only: Three (3) months have passed after publication. Verified Statement Regarding Creditors filed. Notice to Creditors to AHCA (>55yo)		YES	NO	N/A	CONFIRMED
8. Is the Petition Properly Executed?					
<input type="checkbox"/> Verified <input type="checkbox"/> Signed by Petitioner <input type="checkbox"/> Signed by attorney 5.020(a)		Fill in applicable information to the left			
9. Miscellaneous					
Has formal notice been served on any heir, beneficiary, or creditor not joining or consenting to the Petition?					
Affidavit of Heirs filed only if intestate – must be in the form required by Administrative Order No. 2022-08					
If testate, WILL does not direct sale—becomes non-exempt [Price 513//767; Knadle 686//681]					
10 Proposed Order Determining Homestead Status of Real Property filed?					
<input type="checkbox"/> Shall describe real property (includes complete legal description); <input type="checkbox"/> Shall determine whether real property constituted homestead of decedent; <input type="checkbox"/> Identifies by name the person(s) entitled to homestead; <input type="checkbox"/> Defines the interest of person(s) receiving the protected homestead; <input type="checkbox"/> Finds that the homestead property descended to or was validly devised.		Fill in applicable information to the left			

“Exhibit D”

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: _____

“Exhibit E”

IN THE CIRCUIT COURT OF NINTH JUDICIAL CIRCUIT
IN AND FOR _____ COUNTY FLORIDA

RE: ESTATE OF

CASE NUMBER:
PROBATE DIVISION ____

DECEASED

NOTICE REGARDING ORIGINAL WILL

- Yes, an **original** will was filed for safekeeping in Case Number _____,
for _____, deceased.
- No, an original will was not previously filed with the Clerk of Court.

Signed on this _____ day of _____, 20____.

Attorney *or* Petitioner

“Exhibit F”

IN THE NINTH JUDICIAL CIRCUIT IN AND FOR
ORANGE/OSCEOLA COUNTY, FLORIDA
PROBATE DIVISION

In Re: Estate of

Case No.: _____

Division: _____

_____ /

AFFIDAVIT OF HEIRS

For purposes of this affidavit, you must do the following:

- You must list ALL RELATIVES of the decedent, including yourself, if applicable.
- You must include even the names of relatives who were deceased at the time of the decedent’s death, indicating that they are deceased and specifying the date of death.
- If the decedent never had a relative within a particular category (i.e. decedent was the only child, and therefore had no siblings), you must indicate “None” in that category.
- If the decedent’s relatives in a particular category are unknown, you must specify “Unknown”.
- When applicable, please indicate if the relationship is that of a half-relative (i.e. half-brother or half-sister).

1. The undersigned person making this Affidavit, _____,

does not have does have an interest in this estate.

2. I am I am not related to the to the decedent as follows:

_____.

I have known the decedent for _____ years.

“Exhibit F”

3a. Spouse of the decedent. [Please provide name, age, and address. If the spouse is deceased, you must provide the name and date of death.]

3b. Decedent’s former spouse(s) (due to death or divorce). [You must provide the name, age, and address. If the former spouse is deceased, decedent and former spouse were divorced please indicate name of former spouse and date of divorce.]

4. Children of the decedent or descendants of deceased children. [You must provide the name(s), age(s), and current address(es). If any of the children are deceased, you must provide the name and date of death of each. In addition, you must state if the decedent has any grandchildren from the predeceased children and specify their name, age, and address. If any of the children are not biologically related to both the decedent and decedent’s spouse at the time of decedent’s death, you must provide the name of that particular child’s other biological parent. If the surviving spouse has children who are not the children of the decedent, you must provide their names and current addresses.]

“Exhibit F”

5. Parents of the decedent. [If the parents are living, you must provide the name, age, and current address of each. If the parents are deceased, you must provide the name and date of death.]

6. Brothers and sisters of the decedent, or descendants of deceased brothers or sisters. [You must specify if the relationship is that of a half-relative, i.e., half-brother or half-sister. You must provide the name, age, and current address of the decedent’s brothers or sisters or half-siblings. If any of the brothers or sisters or half-siblings are deceased, you must provide the name and date of death. In addition, you must list the children of any deceased brothers or sisters or half-siblings as well as the children’s current addresses.]

7. Grandparents of the decedent. [If living, you must provide the name, age, and current address. If the grandparents are deceased, you must provide the name and date of death.]

“Exhibit F”

8. If there are any other relatives who have survived the decedent and are not listed in the answers above, you must provide their name, relationship to the decedent, age, and current address. Please attach additional pages if necessary.

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 and address of Affiant

State of _____
County of _____

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this _____ day of _____, 20 _____, by

_____.

_____ Personally known
_____ Produced identification
Type of Identification:

Notary Public or Deputy Clerk
My Commission Expires:

Print, Type or Stamp Commissioned
Name of Notary Public/Deputy Clerk