

IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT,
IN AND FOR BROWARD COUNTY, FLORIDA
PROBATE DIVISION

**CHECKLIST FOR PETITION FOR FORMAL ADMINISTRATION OF TESTATE
ESTATE**

This Checklist must be completed and e-filed with your Petition. Review and sign the applicable certification clause at the end of the checklist prior to submitting it with your Petition. If any of the items below are not checked, please complete “Certification B.” Completing and e-filing this Checklist does not obviate any additional obligations imposed by rule or statute.

HEARING:

☐	At the time of filing this Petition, I intend to pursue this Petition on ex-parte, motion, or special set calendar.
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OR

☐	At the time of filing this Petition, I intend to have this Petition submitted to the Judge without a hearing.
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CASE NUMBER: PRC - _____ - _____ In Re Estate of: _____

☐	A death certificate was filed.
☐	The Petitioner filed an Affidavit Regarding Criminal History ¹ (form available on the Seventeenth Judicial Circuit’s Webpage).
☐	If the decedent was a Florida resident, the death certificate reflects a Broward County residence. If the decedent was not a Florida resident, the decedent owned property in Broward County, and the situs of the property is reflected in the Petition for Administration.
☐	The Petition is verified, signed by the Petitioner, and signed by an attorney of record.
☐	The Petitioner’s interest in estate and the Petitioner’s address are listed in the Petition.
☐	A copy of the original will or codicil was e-filed and the original will / codicil was deposited with the Broward County Clerk of Court;
OR	OR
☐	The original will / codicil cannot be located, a Petition to Establish a Lost or Destroyed Will / Codicil was filed, and those who would take but for the will / codicil have consented to the Petition to Establish a Lost or Destroyed Will / Codicil.
	(NOTE: Judge Speiser requires a hearing on all petitions to establish a lost or destroyed will /

¹ Please note that trust companies, banks, as well as other qualified corporations identified in section 733.305, Florida Statutes, are not required to file this affidavit.

	codicil.)
☐	The decedent was a Florida resident and the will / codicil is self-proven under the laws of Florida. If the will / codicil is not self-proven, an oath of witness was executed in front of a Clerk of the Court, Commissioner, or Judge and the oath was filed with the Petition; (NOTE: a notary stamp is insufficient.)
OR	OR
☐	The decedent was not a Florida resident, and an affidavit was filed demonstrating that the will / codicil was executed in conformity with the laws of the state or country where the will was executed.
☐	The Petitioner is not a convicted felon and the Petitioner is a Florida resident. If the Petitioner is not a Florida Resident, the Petitioner is related to the decedent within the statutorily required degree.
☐	The correct beneficiaries are listed in the Petition with the birthdates of the minor beneficiaries, if any.
☐	The assets of the estate and the approximate values of the assets are listed in the Petition.
☐	The proposed personal representative has preference of appointment for testate estates. If the Petitioner is not the first personal representative nominated in the will, the Petitioner has filed the necessary renunciations or death certificates that sufficiently demonstrate the proposed personal representative's preference of appointment.
☐	An oath of personal representative and designation of resident agent were filed, and they comply with the applicable probate rules.
☐	A proposed order admitting will to probate and appointing personal representative was filed, and the signature page contains at least four (4) lines of text and has the case number on it.
☐	Proposed letters of administration were filed and the signature page contains at least four (4) lines of text and has the case number on it.
☐	<u>A trust is not a beneficiary of the decedent.</u>
OR	OR
☐	<u>If a trust of the decedent is a beneficiary of the will offered for probate:</u> A disclosure of qualified trust beneficiaries is contained in the Petition or in a separate notice.

Please complete the Certification that applies to your filing (either Certification A or Certification B). If Petitioner is represented by counsel, only counsel must complete the applicable Certification Clause. If Petitioner is pro se then the applicable Certification must be completed by Petitioner.

CERTIFICATION A:

The undersigned Petitioner ☐ (print name) _____ /Attorney ☐ (print name) _____ certifies that he/she has reviewed the information necessary to support the Petition for Formal Administration of Testate Estate. The Petitioner ☐ / Attorney ☐ further certifies that all the required information was previously filed or filed concurrently with the Petition. The Petitioner ☐ / Attorney ☐ acknowledges that the Petition will not be reviewed by Court staff until the necessary information has been accepted into the e-filing system. The Petitioner ☐ / Attorney ☐ further acknowledges that a hearing may be required to process the Petition.

Petitioner's signature: _____

Signed on: _____, 20____

OR

Attorney's signature: _____

Signed on: _____, 20____

CERTIFICATION B:

The undersigned Petitioner ☐ (print name) _____ /Attorney ☐ (print name) _____ certifies that he/she has reviewed the information necessary to support the Petition for Formal Administration of Testate Estate. The Petitioner ☐ / Attorney ☐ certifies that, after a diligent search and reasonable effort, the Petitioner ☐ / Attorney ☐ was unable to submit the following information for the following reasons:

The Petitioner ☐ / Attorney ☐ acknowledges that a hearing may be required concerning the

deficiency.

Petitioner's signature: _____

Signed on: _____, 20____

OR

Attorney's signature: _____

Signed on: _____, 20____