**CLERK OF THE CIRCUIT COURT**

**PROBATE DIVISION, FLAGLER COUNTY, FLORIDA**

**IN RE: Estate of Case No: \_\_\_\_\_\_\_\_\_\_ CP 000 \_\_\_\_\_\_\_\_\_\_**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Division: 48**

**PROBATE LOST WILL – FORMAL ADMINISTRATION (F.S. 733.202; F.S. 733.207 & Rules 5.200, 5.510 & 5.025)**

**Petitioner’s Info: Rule 5.200(a)** **Decedent Info: Rule 5.200 (b) Death Certificate**, if filed Rule 5.205

[ ] Name & Address [ ] Name & Address Does the name on the death certificate

[ ] Name & office address of Atty. [ ] Date of Death match what is written in the case style

[ ] Sworn to & signed by petitioner [ ] State & County of domicile and Last Will & Testament?

 [ ] Last 4 digits of soc. sec. number [ ] YES [ ] NO

**Beneficiaries/Heirs at Law: Rule 5.200(c)** **Additional Information Required by Rule or Statute**

[ ] Beneficiaries in Will, Codicil, & Separate Writing [ ] Petition is a **verified** (sworn to) and signed by petitioner

[ ] Beneficiaries/Heirs relationship to decedent [ ] Statement showing venue

[ ] Year of birth for Minor beneficiary/heir [ ] State approximate value & nature of assets

[ ] N/A [ ] YES [ ] State whether domiciliary or principal proceedings are pending

 elsewhere

**Last Will and Testament: Rule 5.200 Rules 5.510 & 5.025**

[ ] Identify the Will & Codicils presented for Probate [ ] Adversarial case style on pleadings

[ ] State petitioner is unaware of any other [ ] Petition restates the terms of the Will or have a correct copy

Wills or Codicils attached

 [ ] Testimony of disinterested witness reduced to writing & filed\*

**Required Information Regarding Personal Representative - Effective 11/4/2021 (this should be in the petition)**

[ ] Contain the name and address of P.R. and state that they are qualified to serve under FL law

[ ] State priority of person/business seeking to be P.R.

[ ] Whether there is any other person of equal or higher preference to appointment

[ ]  If yes, the name(s) of that person(s) **and** a statement regarding whether that person will be served with formal notice (Rule 5.200(k)).

 Name(s): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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[ ] Statement if the Personal Representative is a:

 [ ] Individual or [ ] Business

\*if the P.R. is an individual:

[ ] State whether the person has been convicted in any state or foreign jurisdiction of abuse, neglect, or exploitation of an elderly person or a disabled adult, as those terms are defined in section F.S. 825.101

[ ] State whether they have been convicted of a felony

[ ] State whether the person is 18 years of age or older

[ ] State whether the person is mentally and physically able to perform duties

[ ] State if the person is a resident of Florida and, if not, provide the relationship to the decedent.

**Notice**

[ ] Formal notice is given to each person who would inherit if the Will is not established; or

[ ] Consents from all intestate heirs filed

[ ] Proof of Service of formal notice filed

[ ] Time allowed via formal notice has run

**Required Information Regarding Oath of Personal Representative: Rule 5.320 - Effective 1/1/2020**

[ ] Is qualified to serve within provisions of sections 733.302, 733.303, and 733.304

[ ] State that the person has reviewed the statutes and understand the qualification of being the PR

[ ] State whether they have been convicted of a felony

[ ] State whether the person is 18 years of age or older

[ ] State whether the person has been convicted in any state or foreign jurisdiction of abuse, neglect, or exploitation of an elderly person or a disabled adult, as those terms are defined in section F.S. 825.101

[ ] State whether the person is mentally and physically able to perform duties

[ ] State if the person is a resident of Florida and, if not, provide the relationship to the decedent.

[ ] Will faithfully administer the estate

[ ] Provide the PR’s place of residence and mailing address (if different)

[ ] State that they will promptly file and serve notice on all interested persons any time I know that I would not be qualified to serve as PR with the reason and date the event occurred.

[ ] State that if the PR changes their address, they will serve notice on all interested persons within 20 days

[ ] Designate a resident agent w/signed acceptance by agent.

**Order Establishing Lost Will & Bond**

* Has a copy of the Will attached or the Will is restated [ ]  YES [ ]  NO
* Bond is Waived in Will; or [ ]  YES [ ]  NO
* Bond is Waived by all beneficiaries or heirs [ ]  YES [ ]  NO

**Notes:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*\*One witness when carbon or photocopy showing testator’s original signature. Two witnesses are required when a retyped or conformed copy of Will is attached.*

I hereby certify that I have personally reviewed the documents filed in this matter and that the foregoing check sheet is accurate.

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Attorney of Record Probate Clerk