

SUMMARY ADMINISTRATION PETITION

Checklist

<input type="checkbox"/>	Certified copy of death certificate [731.103(1), 5.205(a)(3)]
<input type="checkbox"/>	Affidavit of Heirs
<input type="checkbox"/>	Venue proper (county resident or non-resident of state with property in county) [733.101, 735.201, 5.530(a)(4)]
<input type="checkbox"/>	Deceased > 2 years **OR** estate <= \$75,000 [735.201(2)] (circle one)
<input type="checkbox"/>	Correct beneficiaries listed, including dates of birth for minors [See 735.203, 735.206(3); 5.530(a)(3)]
<input type="checkbox"/>	Documentation of all assets with values [5.530(a)(7)] – include VIN and/or account number(s), copies of financial statement(s), bank name(s) as applicable.
<input type="checkbox"/>	Not indebted OR: [735.206(2), 5.530(a)(9)(a)]
<input type="checkbox"/>	<input type="checkbox"/> The name and address of each creditor, the amount of the debt, whether amount is exact or estimated, AND [5.530(a)(9)(B)]
<input type="checkbox"/>	<input type="checkbox"/> Provision for full payment of the debt, OR [5.530(a)(9)(B)]
<input type="checkbox"/>	<input type="checkbox"/> The name of the person paying the debt, creditor's consent, amount if debt is compromised, and terms of payment with any limitations of liability for payor. [5.530(a)(9)(B)]
<input type="checkbox"/>	Diligent search made for creditors & penalty for failure to notify is included* [735.206(2), (4)(d), 5.530(a)(9)]
<input type="checkbox"/>	Proposed distribution of assets [735.206(3), 5.530(d)]
<input type="checkbox"/>	Signed by beneficiaries and spouse, or consents filed, or formal notice w/o objection for those not receiving full share. [735.203(1), (3), 5.530(b)]
<input type="checkbox"/>	Petition is verified [731.104, 735.203(1), 5.020(e), 5.530(a)]
<input type="checkbox"/>	Notice of petition given to creditors [735.206(2), 5.530(b)]
<input type="checkbox"/>	Is there a will? (yes or none), If so:
<input type="checkbox"/>	<input type="checkbox"/> Will is self-proved [732.503, 733.201(1)] and is Original Will [See 5.200(j), 5.530(c)]
<input type="checkbox"/>	<input type="checkbox"/> Will not self-proved AND <input type="checkbox"/> Oath of Witness to Will Filed [733.201(2)]
<input type="checkbox"/>	<input type="checkbox"/> Will admitted to Probate [5.530(c)] (or proposed order admitting is attached)
<input type="checkbox"/>	If real property is included in petition, and decedent resided on the property, then a petition to determine homestead must also be filed.
<input type="checkbox"/>	Order includes items and value of property, account or ID #, cc to creditors, if any [735.206(3); see 5.530(d)]

Beneficiaries

Creditors

Please remember that providing all required information does not guarantee that your petition will be granted. This information should not be used as a substitute for advice from competent legal counsel as laws change and the facts in your specific case need to be analyzed. The court will review the filings and may require additional information.