**Summary Administration Petition**

**Checklist**

|  |  |
| --- | --- |
|  | Certified copy of death certificate [731.103(1), 5.205(a)(3)] |
|  | Affidavit of Heirs |
|  | Venue proper (county resident or non-resident of state with property in county) [733.101, 735.201, 5.530(a)(4)] |
|  | Deceased > 2 years \*\*OR\*\* estate <= $75,000 [735.201(2)] (circle one) |
|  | Correct beneficiaries listed, including dates of birth for minors [*See* 735.203, 735.206(3); 5.530(a)(3)] |
|  | Lists all assets and values [5.530(a)(7)] – include VIN and/or account number(s) as applicable. |
|  | Not indebted OR: [735.206(2), 5.530(a)(9)(a)] |
|  |  | The name and address of each creditor, the amount of the debt, whether amount is exact or estimated, AND [5.530(a)(9)(B)] |
|  | Provision for full payment of the debt, OR [5.530(a)(9)(B)] |
|  | 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)] |
|  | Diligent search made for creditors & penalty for failure to notify is included\* [735.206(2), (4)(d), 5.530(a)(9)] |
|  | Proposed distribution of assets [ 735.206(3), 5.530(d)] |
|  | 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)] |
|  | Petition is verified [731.104, 735.203(1), 5.020(e), 5.530(a)] |
|  | Notice of petition given to creditors [735.206(2), 5.530(b)] |
|  | Is there a will? (yes or none), If so: |
|  |  | Will is self-proved [732.503, 733.201(1)] and is Original Will [*See* 5.200(j), 5.530(c)] |
|  |  | Will not self-proved AND |  |  Oath of Witness to Will Filed [733.201(2)] |
|  |  | Will admitted to Probate [5.530(c)] (or proposed order admitting is attached) |
|  | If real property is included in petition, it is not homestead or separate homestead petition is filed |
|  | 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.** |

\*Unless claims are barred. If claims are barred, note this on the petition