

FLORIDA PROBATE RULES

PART I — GENERAL

5.010. SCOPE	[NO CHANGE]
5.015. GENERAL DEFINITIONS	[NO CHANGE]
5.020. PLEADINGS; VERIFICATION; MOTIONS	[NO CHANGE]
5.025. ADVERSARY PROCEEDINGS	[NO CHANGE]
5.030. ATTORNEYS	[NO CHANGE]
5.040. NOTICE	[AMENDED]
<u>Committee vote: 24-0</u>	
<u>Board of Governors vote: 37-0</u>	
5.041. SERVICE OF PLEADINGS AND PAPERS	[AMENDED]
<u>Committee vote: 25-0</u>	
<u>Board of Governors vote: 37-0</u>	
5.042. TIME	[NO CHANGE]
5.050. TRANSFER OF PROCEEDINGS	[NO CHANGE]
5.060. REQUEST FOR NOTICES AND COPIES OF PLEADINGS	[NO CHANGE]
5.065. NOTICE OF CIVIL ACTION OR ANCILLARY ADMINISTRATION	[NO CHANGE]
5.080. DISCOVERY AND SUBPOENA	[NO CHANGE]
<u>5.095. GENERAL AND SPECIAL MAGISTRATES</u>	[NEW RULE]
<u>Committee vote: 26-1</u>	
<u>Board of Governors vote: 37-0</u>	
5.100. RIGHT OF APPEAL	[NO CHANGE]
5.110. ADDRESS DESIGNATION FOR PERSONAL REPRESENTATIVE OR GUARDIAN; DESIGNATION OF RESIDENT AGENT AND ACCEPTANCE	[NO CHANGE]
5.120. ADMINISTRATOR AD LITEM AND GUARDIAN AD LITEM	[NO CHANGE]
5.122. CURATORS	[NO CHANGE]
5.150. ORDER REQUIRING ACCOUNTING	[NO CHANGE]
5.160. PRODUCTION OF ASSETS	[NO CHANGE]
5.170. EVIDENCE	[NO CHANGE]
5.171. EVIDENCE OF DEATH	[NO CHANGE]
5.180. WAIVER AND CONSENT	[NO CHANGE]

PART II — PROBATE

5.200. PETITION FOR ADMINISTRATION	[AMENDED]
<u>Committee vote: 20-0</u>	
<u>Board of Governors vote: 37-0</u>	
5.201. NOTICE OF PETITION FOR ADMINISTRATION	[NO CHANGE]
5.205. FILING EVIDENCE OF DEATH	[NO CHANGE]
5.210. PROBATE OF WILLS WITHOUT ADMINISTRATION	[AMENDED]
<u>Committee vote: 20-0</u>	
<u>Board of Governors vote: 37-0</u>	
5.215. AUTHENTICATED COPY OF WILL	[NO CHANGE]
5.216. WILL WRITTEN IN FOREIGN LANGUAGE	[NO CHANGE]
5.230. COMMISSION TO PROVE WILL	[NO CHANGE]
5.235. ISSUANCE OF LETTERS, BOND	[NO CHANGE]
5.240. NOTICE OF ADMINISTRATION	[NO CHANGE]
5.241. NOTICE TO CREDITORS	[AMENDED]
<u>Committee vote: 28-0</u>	
<u>Board of Governors vote: 37-0</u>	
5.260. CAVEAT; PROCEEDINGS	[NO CHANGE]
5.270. REVOCATION OF PROBATE	[NO CHANGE]
5.275. BURDEN OF PROOF IN WILL CONTESTS	[NO CHANGE]
5.310. DISQUALIFICATION OF PERSONAL REPRESENTATIVE; NOTIFICATION	[NO CHANGE]
5.320. OATH OF PERSONAL REPRESENTATIVE	[NO CHANGE]
5.330. EXECUTION BY PERSONAL REPRESENTATIVE	[NO CHANGE]
5.340. INVENTORY	[NO CHANGE]
5.341. ESTATE INFORMATION	[NO CHANGE]
5.342. INVENTORY OF SAFE-DEPOSIT BOX	[NO CHANGE]
5.345. ACCOUNTINGS OTHER THAN PERSONAL REPRESENTATIVES' FINAL ACCOUNTINGS	[NO CHANGE]
5.346. FIDUCIARY ACCOUNTING	[NO CHANGE]
5.350. CONTINUANCE OF UNINCORPORATED BUSINESS OR VENTURE	[NO CHANGE]
5.355. PROCEEDINGS FOR REVIEW OF EMPLOYMENT OF AGENTS AND COMPENSATION OF PERSONAL REPRESENTATIVES AND ESTATE EMPLOYEES	[NO CHANGE]
5.360. ELECTIVE SHARE	[NO CHANGE]
5.365. PETITION FOR DOWER	[NO CHANGE]

5.370. SALES OF REAL PROPERTY WHERE NO POWER CONFERRED	[NO CHANGE]
5.380. COMPULSORY PAYMENT OF DEVICES OR DISTRIBUTIVE INTERESTS	[NO CHANGE]
5.385. DETERMINATION OF BENEFICIARIES AND SHARES	[NO CHANGE]
5.386. ESCHEAT	[NO CHANGE]
5.395. NOTICE OF FEDERAL ESTATE TAX RETURN	[NO CHANGE]
5.400. DISTRIBUTION AND DISCHARGE	[NO CHANGE]
5.401. OBJECTIONS TO PETITION FOR DISCHARGE OR FINAL ACCOUNTING	[NO CHANGE]
5.402. NOTICE OF LIEN ON PROTECTED HOMESTEAD	[NO CHANGE]
5.403. PROCEEDINGS TO DETERMINE AMOUNT OF LIEN ON PROTECTED HOMESTEAD	[NO CHANGE]
5.404. NOTICE OF TAKING POSSESSION OF PROTECTED HOMESTEAD	[NO CHANGE]
5.405. PROCEEDINGS TO DETERMINE HOMESTEAD REAL PROPERTY	[NO CHANGE]
5.406. PROCEEDINGS TO DETERMINE EXEMPT PROPERTY	[NO CHANGE]
5.407. PROCEEDINGS TO DETERMINE FAMILY ALLOWANCE	[NO CHANGE]
5.420. DISPOSITION OF PERSONAL PROPERTY WITHOUT ADMINISTRATION	[NO CHANGE]
5.430. RESIGNATION OF PERSONAL REPRESENTATIVE	[NO CHANGE]
5.440. PROCEEDINGS FOR REMOVAL	[NO CHANGE]
5.460. SUBSEQUENT ADMINISTRATION	[NO CHANGE]
5.470. ANCILLARY ADMINISTRATION	[NO CHANGE]
5.475. ANCILLARY ADMINISTRATION, SHORT FORM	[NO CHANGE]
5.490. FORM AND MANNER OF PRESENTING CLAIM	[AMENDED]
<u>Committee vote:</u> 16-0	
<u>Board of Governors vote:</u> 37-0	
5.496. FORM AND MANNER OF OBJECTING TO CLAIM	[AMENDED]
<u>Committee vote:</u> 16-0	
<u>Board of Governors vote:</u> 37-0	
5.498. PERSONAL REPRESENTATIVE'S PROOF OF CLAIM	[AMENDED]
<u>Committee vote:</u> 25-0	
<u>Board of Governors vote:</u> 37-0	

- 5.499. FORM AND MANNER OF OBJECTING TO PERSONAL REPRESENTATIVE'S PROOF OF CLAIM [AMENDED]
Committee vote: 16-0
Board of Governors vote: 37-0
- 5.510. ESTABLISHMENT AND PROBATE OF LOST OR DESTROYED WILL [NO CHANGE]
- 5.530. SUMMARY ADMINISTRATION [AMENDED]
Committee vote: 16-0
Board of Governors vote: 37-0

PART III — GUARDIANSHIP

- 5.540. HEARINGS [NO CHANGE]
- 5.541. RECORDING OF HEARINGS [NO CHANGE]
- 5.550. PETITION TO DETERMINE INCAPACITY [NO CHANGE]
- 5.552. VOLUNTARY GUARDIANSHIP OF PROPERTY [NO CHANGE]
- 5.555. GUARDIANSHIPS OF MINORS [NO CHANGE]
- 5.560. PETITION FOR APPOINTMENT OF GUARDIAN OF AN INCAPACITATED PERSON [NO CHANGE]
- 5.590. APPLICATION FOR APPOINTMENT AS GUARDIAN; DISCLOSURE STATEMENT; FILING [NO CHANGE]
- 5.600. OATH [NO CHANGE]
- 5.610. EXECUTION BY GUARDIAN [NO CHANGE]
- 5.620. INVENTORY [NO CHANGE]
- 5.625. NOTICE OF COMPLETION OF GUARDIAN EDUCATION REQUIREMENTS [NO CHANGE]
- 5.630. PETITION FOR APPROVAL OF ACTS [NO CHANGE]
- 5.635. PETITION FOR EXTRAORDINARY AUTHORITY [NO CHANGE]
- 5.636. SETTLEMENT OF MINORS' CLAIMS [NO CHANGE]
- 5.640. CONTINUANCE OF UNINCORPORATED BUSINESS OR VENTURE OF WARD [NO CHANGE]
- 5.645. MANAGEMENT OF PROPERTY OF NONRESIDENT WARD BY FOREIGN GUARDIAN [NEW RULE]
Committee vote: 20-0
Board of Governors vote: 37-0
- 5.650. RESIGNATION OR DISQUALIFICATION OF GUARDIAN; APPOINTMENT OF SUCCESSOR [AMENDED]
Committee vote: 20-0

Board of Governors vote: 37-0

5.660. PROCEEDINGS FOR REMOVAL OF GUARDIAN [NO CHANGE]

5.670. TERMINATION OF GUARDIANSHIP ON CHANGE OF DOMICILE OF
RESIDENT WARD [AMENDED]

Committee vote: 20-0

Board of Governors vote: 37-0

5.680. TERMINATION OF GUARDIANSHIP [NO CHANGE]

5.690. INITIAL GUARDIANSHIP REPORT [NO CHANGE]

5.695. ANNUAL GUARDIANSHIP REPORT [NO CHANGE]

5.696. ANNUAL ACCOUNTING [NO CHANGE]

5.697. MAGISTRATES' REVIEW OF GUARDIANSHIP INVENTORIES,
ACCOUNTINGS, AND PLANS [AMENDED]

Committee vote: 26-1

Board of Governors vote: 37-0

5.700. OBJECTION TO GUARDIANSHIP REPORTS [NO CHANGE]

5.705. PETITION FOR INTERIM JUDICIAL REVIEW [NO CHANGE]

5.710. REPORTS OF PUBLIC GUARDIAN [NO CHANGE]

Committee vote: 25-0

Board of Governors vote: 37-0

5.800. APPLICATION OF REVISED CHAPTER 744 TO EXISTING
GUARDIANSHIPS [NO CHANGE]

PART IV — EXPEDITED JUDICIAL INTERVENTION
CONCERNING MEDICAL TREATMENT PROCEDURES

5.900. EXPEDITED JUDICIAL INTERVENTION CONCERNING MEDICAL
TREATMENT PROCEDURES [NO CHANGE]