

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:</u> 19-0	
<u>Board of Governors vote:</u> 35-0	
5.041.SERVICE OF PLEADINGS AND PAPERS	[AMENDED]
<u>Committee vote:</u> 19-0	
<u>Board of Governors vote:</u> 35-0	
5.042.TIME [AMENDED]	
<u>Committee vote:</u> 19-0	
<u>Board of Governors vote:</u> 35-0	
5.050.TRANSFER OF PROCEEDINGS	[NO CHANGE]
5.060. REQUEST FOR NOTICES AND COPIES OF PLEADINGS	[NO CHANGE]
	[NO CHANGE]
5.065.NOTICE OF CIVIL ACTION OR ANCILLARY ADMINISTRATION	[NO CHANGE]
5.080.DISCOVERY AND SUBPOENA	[NO CHANGE]
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	[NO CHANGE]
5.201. NOTICE OF PETITION FOR ADMINISTRATION	[NO CHANGE]
5.205.FILING EVIDENCE OF DEATH	[NO CHANGE]
5.210.PROBATE OF WILLS WITHOUT ADMINISTRATION	[NO CHANGE]
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 <u>Committee vote:</u> 21-0 <u>Board of Governors vote:</u> 35-0	[AMENDED]
5.241.NOTICE TO CREDITORS <u>Committee vote:</u> 19-0 <u>Board of Governors vote:</u> 35-0	[AMENDED]
5.260.CAVEAT; PROCEEDINGS	[NO CHANGE]
5.270.REVOCATION OF PROBATE <u>Committee vote:</u> 18-0 <u>Board of Governors vote:</u> 35-0	[AMENDED]
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 <u>Committee vote:</u> 23-0 <u>Board of Governors vote:</u> 35-0	[AMENDED]
5.346.FIDUCIARY ACCOUNTING <u>Committee vote:</u> 23-0 <u>Board of Governors vote:</u> 35-0	[AMENDED]

- 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 [AMENDED]
Committee vote: 21-0
Board of Governors vote: 35-0
- 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 [AMENDED]
Committee vote: 19-0
Board of Governors vote: 35-0
- 5.401.OBJECTIONS TO PETITION FOR DISCHARGE
OR FINAL ACCOUNTING [NO CHANGE]
- 5.402.NOTICE OF LIEN ON PROTECTED HOMESTEAD [NEW RULE]
Committee vote: 20-0
Board of Governors vote: 35-0
- 5.403.PROCEEDINGS TO DETERMINE AMOUNT OF LIEN

- ON PROTECTED HOMESTEAD [NEW RULE]
Committee vote: 20-0
Board of Governors vote: 35-0
- 5.404. NOTICE OF TAKING POSSESSION OF PROTECTED
HOMESTEAD [AMENDED]
Committee vote: 19-0
Board of Governors vote: 35-0
- 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 [NOTES CHANGES ONLY]
- 5.475. ANCILLARY ADMINISTRATION, SHORT FORM [AMENDED]
Committee vote: 19-0
Board of Governors vote: 35-0
- 5.490. FORM AND MANNER OF PRESENTING CLAIM [NO CHANGE]
- 5.496. FORM AND MANNER OF OBJECTING TO CLAIM
Committee vote: 24-0 [AMENDED]
Board of Governors vote: 35-0

5.498. PERSONAL REPRESENTATIVE'S PROOF OF CLAIM
Committee vote: 27-0 [NEW RULE]
Board of Governors vote: 35-0

5.499. FORM AND MANNER OF OBJECTING TO PERSONAL
REPRESENTATIVE'S PROOF OF CLAIM [NEW RULE]
Committee vote: 21-6
Board of Governors vote: 35-0

5.510. ESTABLISHMENT AND PROBATE OF LOST
OR DESTROYED WILL [NO CHANGE]

5.530. SUMMARY ADMINISTRATION [AMENDED]
Committee vote: 20-0
Board of Governors vote: 35-0

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	[AMENDED]
No vote (scrivener's change only)	
5.625. NOTICE OF COMPLETION OF GUARDIAN EDUCATION REQUIREMENTS	[NEW RULE]
<u>Committee vote: 19-0</u>	
<u>Board of Governors vote: 35-0</u>	
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]
5.650.RESIGNATION OR DISQUALIFICATION OF GUARDIAN; APPOINTMENT OF SUCCESSOR	[NO CHANGE]
5.660.PROCEEDINGS FOR REMOVAL OF GUARDIAN	[NO CHANGE]
5.670.TERMINATION OF GUARDIANSHIP ON CHANGE OF DOMICILE OF RESIDENT WARD	[NO CHANGE]
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.MASTERS' REVIEW OF GUARDIANSHIP ACCOUNTINGS AND PLANS	[NO CHANGE]
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]

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]