

Summary Administration

What is Summary Administration?

Summary administration may be filed when the value of the entire estate does not exceed \$75,000, excluding exempt property, or when the decedent has been deceased for more than two years. **A personal representative is not appointed in a summary administration.**

Who may file a Petition for Summary Administration?

A petition for summary administration may be filed by any beneficiary or person nominated as personal representative in the decedent's will offered for probate. The petition must be signed and verified by the surviving spouse, if any, and any beneficiaries except that the joinder in a petition for summary administration is not required of a beneficiary who will receive a full distributive share under the proposed distribution. However, formal notice of the petition must be served on a beneficiary not joining in the petition.

What must be included in the Petition for Summary Administration?

The petition must include the following:

- Statement of interest and the relationship of the petitioner
- List of all heirs/beneficiaries to the estate
- A statement of venue (the county of decedent's final residence)
- A statement of approximate value and nature of all estate assets
- If estate is indebted, list of all creditors, the nature and amount of each debt, and provision for payment
- Verified statement of diligent search for creditors if none found with penalty provision for failure to notify, or statement that claims are barred, if applicable
- Proposed distribution of assets

What other documents must I provide?

- Certified copy of death certificate
- Affidavit of Heirs
- Decedent's *original* Last Will and Testament (if any)

Who do I need to provide notice to?

As outlined above, you must provide *formal notice* of the petition to all interested parties, including all heirs, beneficiaries, and/or creditors. Once you have provided each party with formal notice, you must file a proof of service of formal notice and

attach any receipts or other confirmation to that document. Alternatively, if the interested parties are in agreement with the filings in the probate proceeding, they may file a joinder, waiver, and consent to the petition(s). The filing of these documents alleviates the obligation to serve a party with formal notice.

What happens after I file my Petition for Summary Administration?

Once the Petition for Summary Administration is filed and appropriate fees paid, the Clerk will assign a case number. After you have filed all the required documentation, please contact the probate case manager either via email at probate@circuit8.org (preferred) or by phone at 352-264-6894 to notify them the packet is complete and the case is ready for review. Please allow no less than 14 days for review of your documents. The case manager will notify the Petitioner if any additional information is need or you may receive notice to appear at a hearing.

Upon verification of all the information in the filing, a Probate Judge will sign an order granting or denying the Petitioner's request, and a copy of the order will be mailed to you. The Petitioner must then provide a copy of the order to the appropriate bank, insurance companies, or any individuals in possession of decedent's assets for disbursement. You may request certified copies of the order by contacting the Clerk of Court.

A sample Petition for Summary Administration is provided in the subsequent link on this webpage.