



FLORIDA'S SUMMARY ADMINISTRATION

Claude Pepper Elder Law Clinic

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BENEFITS

Summary administration is a faster way to pass a loved one's assets to heirs, taking only 1 to 3 months compared to formal administration, which can take 6 to 18 months.

Attorneys generally charge less for summary administration.

Participation of an attorney is not mandatory, but it may be advantageous.

REQUIREMENTS

The value of the estate is under \$75,000

OR

The decedent has passed away more than two years ago

PROCESS

1. File a Petition for Summary Administration

Any beneficiary or person nominated as personal representative in the decedent's will can file the petition.

2. The court determines if the estate qualifies for summary administration

The court will examine the assets of the estate and any potential claims by creditors.

3. The court issues an order distributing the assets of the estate

If the court determines the estate is eligible for summary administration and payments due to creditors have been provided it will issue an order distributing the assets. This allows the assets to pass to the heirs.

NOT INCLUDED IN ESTATE VALUATION

- Homestead Property
- household furniture and appliances up to \$20,000
- Two motor vehicles used by the decedent or the decedent's immediate family
- All qualified tuition programs

SUMMARY ADMINISTRATION NOT AVAILABLE

- If the decedent passed away less than two years ago and the value of the estate is over \$75,000
- If the decedent's will requests formal administration



FLORIDA'S SUMMARY ADMINISTRATION PETITION REQUIREMENTS

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Signature

- Must be signed by the surviving spouse of the decedent, if any, and all beneficiaries
- If a beneficiary does not sign the petition, the petition must be mailed to them upon filing

Facts

- Must state that the value of the estate is under \$75,000 or more than two years have passed since the decedent passed away

Creditors

- A statement indicating:
 - the estate is not indebted;
 - all creditor's claims are barred; or
 - the name of each creditor, the nature of the debt, the amount of the debt, whether the amount is exact, and when the debt is due



Plan

- A plan for distribution of all estate assets, including to whom each asset is to be distributed

CHECKLISTS AND FORMS AVAILABLE

Leon County Clerk of Courts
850-606-4180

