

Before You File: Essential Probate Checklist for Florida Clients

Before filing for probate in Florida, clients should gather important documents and complete preliminary steps to ensure a smooth process. This checklist will help clients prepare efficiently.

1. Obtain Necessary Documents

- Death Certificate (Certified copies – at least 5)
- Last Will & Testament (Original Will, if applicable)
- Codicils or Amendments (If the Will was updated)
- Trust Documents (If the decedent had a trust)
- List of Heirs & Beneficiaries (Names, addresses, and contact info)

2. Gather Financial & Legal Information

- Bank Account Statements (Checking, savings, CDs)
- Investment & Brokerage Accounts (Stocks, bonds, mutual funds)
- Retirement Accounts (401(k), IRA, pension)
- Life Insurance Policies (Beneficiary designations)
- Business Interests (LLCs, partnerships, corporation documents)
- Safe Deposit Box Information (Location and access details)
- Loans & Debts (Mortgages, credit cards, personal loans, medical bills)

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3. Identify Real Estate & Property

- Deeds to Real Property (Homes, land, rental properties)
- Mortgage Statements (Outstanding balances and payments)
- Property Tax Bills (Latest tax assessments)
- Vehicle Titles & Registration (Cars, boats, RVs)
- Personal Property of Value (Jewelry, collectibles, antiques)

4. Locate and Secure Digital Assets

- Email & Social Media Accounts (Passwords and access details)
- Online Banking & Investments (Login credentials)
- Digital Wallets & Cryptocurrency Accounts (Bitcoins, NFTs, etc.)

5. Notify Relevant Parties

- Family Members & Beneficiaries (Inform them about the probate process)
- Banks & Financial Institutions (Request account freezes if necessary)
- Insurance Companies (Life insurance, auto, homeowner's insurance)
- Social Security Administration (To stop benefits and request death benefits)
- Employer or Pension Providers (If applicable)
- Creditors (Gather details of outstanding debts)

6. Determine the Type of Probate Needed

- Small Estate? (Assets under \$75,000 – may qualify for Summary Administration)
- Larger Estate? (Over \$75,000 – requires Formal Administration)
- Joint Ownership & Beneficiary Designations? (Assets that pass outside probate)

7. Hire a Probate Attorney

- Consult with a Florida probate attorney to discuss the estate
- Provide all collected documents to the attorney for review
- Understand attorney fees and court costs associated with probate

8. Prepare for Probate Filing

- Confirm the proposed Personal Representative (executor)
- Sign the necessary legal forms for probate filing
- Ensure all heirs & beneficiaries are informed of probate proceedings
- Prepare to pay court filing fees and other administrative costs