

Rule 5.475. Ancillary Administration, Short Form

(a) Filing Requirements. The foreign personal representative of a testate estate that meets the requirements of section 734.1025, Florida Statutes, may file with the clerk in the county where any property is located an authenticated copy of so much of the transcript of the foreign proceedings as will show:

(1) The probated will and all probated codicils of the decedent;

(2) The order admitting them to probate;

(3) The letters or their equivalent; and

(4) The part of the record showing the names of the beneficiaries of the estate or an affidavit of the foreign personal representative reciting that the names are not shown or not fully disclosed by the foreign record and specifying the names.

On presentation of the foregoing, the court shall admit the will and any codicils to probate if they comply with section 732.502(1) or section 732.502(2), Florida Statutes.

(b) Notice to Creditors. After complying with the foregoing requirements, the foreign personal representative may cause a notice to creditors to be published as required by these rules.

(c) Claims Procedure. The procedure for filing or barring claims and objecting to them and for suing on them shall be the same as for other estates, except as provided in this rule.

(d) Order. If no claims are filed against the estate within the time allowed, the court shall enter an order adjudging that notice to creditors has been duly published and proof thereof filed and that no claims have been filed against the estate or that all claims have been satisfied.

(e) Notification of Claims Filed. If any claim is filed against the estate within the time allowed, the clerk shall send to the foreign personal representative a copy of the claim and a notice setting a date for a hearing to appoint an ancillary personal representative. At the hearing, the court shall appoint an ancillary personal representative according to the preferences as provided by law.

(f) Objections to Claims. If an ancillary personal representative is appointed pursuant to this rule, the procedure for filing, objecting to, and suing on claims shall be the same as for other

estates, except that the ancillary personal representative appointed shall have not less than 30 days from the date of appointment within which to object to any claim filed.