

Rule 5.205. Filing Evidence of Death

(a) Requirements for Filing. A copy of an official record of the death of a decedent shall be filed by the personal representative, if any, or the petitioner in each of the following proceedings and at the times specified:

(1) Administration of decedent's estate: not later than 3 months following the date of the first publication of the notice to creditors.

(2) Ancillary proceedings: not later than 3 months following the date of first publication of notice to creditors.

(3) Summary administration: at any time prior to entry of the order of summary administration.

(4) Disposition without administration: at the time of filing the application for disposition without administration.

(5) Determination of beneficiaries: at any time prior to entry of the final judgment determining beneficiaries.

(6) Determination of protected homestead: at any time prior to entry of the final judgment determining protected homestead status of real property.

(7) Probate of will without administration: at any time prior to entry of the order admitting will to probate.

(b) Waiver. On verified petition by the personal representative, if any, or the petitioner the court may enter an order dispensing with this rule, without notice or hearing.

(c) Authority to Require Filing. The court may, without notice or hearing, enter an order requiring the personal representative, if any, or the petitioner to file a copy of an official record of death at any time during the proceedings.