

Rule 5.210. Probate of Wills Without Administration

(a) Petition and Contents. A petition to admit a decedent's will to probate without administration shall be verified by the petitioner and shall contain:

(1) A statement of the interest of the petitioner, the petitioner's name and address, and the name and office address of the petitioner's attorney;

(2) The name and last known address of the decedent, last 4 digits of the decedent's social security number, date and place of death of the decedent, and state and county of the decedent's domicile;

(3) So far as is known, the names and addresses of the surviving spouse, if any, the beneficiaries and their relationships to the decedent, and the name and year of birth of any who are minors;

(4) A statement showing venue;

(5) A statement whether domiciliary or principal proceedings are pending in another state or country, if known, and the name and address of the foreign personal representative and the court issuing letters;

(6) A statement that there are no assets subject to administration in Florida;

(7) A statement identifying all unrevoked wills and codicils being presented for probate and a statement that the petitioner is unaware of any other unrevoked wills or codicils or, if the petitioner is aware of any other unrevoked wills or codicils, a statement why the other wills or codicils are not being probated; and

(8) A statement that the original of the decedent's last will is in the possession of the court or accompanies the petition, or that an authenticated copy of a will deposited with or probated in another jurisdiction or that an authenticated copy of a notarial will, the original of which is in the possession of a foreign notary, accompanies the petition.

(b) Service. The petitioner shall serve a copy of the petition on those persons who would be entitled to service under rule 5.240.

(c) Objections. Objections to the validity of the will shall follow the form and procedure set forth in these rules pertaining to revocation of probate. Objections to the venue or jurisdiction of the court shall follow the form and procedure set forth in the Florida Rules of Civil Procedure.

(d) Order. An order admitting the will to probate shall include a finding that the will has been executed as required by law.