



*Office of Paula S. O'Neil
Clerk & Comptroller
Pasco County, Florida*

IN RE: The Estate of

Case No: _____

Section: _____

**CASE MAINTENANCE REFERENCE GUIDE
ON PETITION FOR DISCHARGE**

Check the file for the following documents:

- Certified death certificate of the decedent, FPR 5.205, FPR 5.171, F.S. 731.103.
- Copy of Notice of Administration, F.S. 733.212(2), FPR 5.240. (for all decedents) (unless waivers of notice of administration for all interested persons are submitted)
- Proof of service of Notice of Administration on the decedent's surviving spouse, beneficiaries, the trustee of any trust and each beneficiary of the trust, if each trustee is also a personal representative of the estate, F.S. 733.212(1)(a), (b), (c) and (d) unless served under s. 733.2123 **OR**
 - Waivers of Notice of Administration for all interested persons, FPR 5.180(a).
- Proof of service of Notice of Administration on the Agency for Health Care Administration, if the decedent was 55 years of age or older, (F.S. 733.212(4)(a) (for decedents dying before December 31, 2001)
- Proof of service of Notice to Creditors on creditors, F.S.733.2121(3)(a). (for decedents dying after December 31, 2001)
- Proof of service of Notice to Creditors on the Agency for Health Care Administration, if the decedent was 55 years of age or older, F.S. 733.2121(3)(d), unless the agency has filed a claim in the estate. (for decedents dying after December 31, 2001)
- Proof of Publication of Notice of Administration (for decedents dying before December 31, 2001) **OR** Notice to Creditors (for decedents dying after December 31, 2001) (date must be after the date of appointment of Personal Representative) (F.S. 733.2121)

Reply To:

Pasco County Courthouse 38053 Live Oak Avenue, Dade City, FL 33523-3894 Phone: (352) 521-4506

West Pasco Judicial Center P.O. Box 338, New Port Richey, FL 34656-0338 Phone: (727) 847-8186

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Publication Date:

Date Order Appointing Personal Representative signed: _____

- Inventory, F.S. 733.604, FPR 5.340(a).
- Proof of service of Inventory for all persons indicated in FPR 5.340(d).
- Notice to beneficiaries regarding inventory, F.S. 733.604
- Evidence that all claims presented have been paid, settled, or otherwise disposed of, F.S. 733.705, FPR 5.400(b)(2).

- Proof of service of objection to all timely claim(s) filed (F.S. 733.705(2):

- PR's Verified Statement Regarding Creditors, FPR 5.241(d).
- Florida estate tax certificate, if applicable, F.S. 198.26.
- Affidavit of No Florida Estate Tax, when applicable, F.S. 198.32(2). (for decedents dying on or after January 1, 2000 only)
- Federal estate tax closing letter, if applicable, F.S. 733.817.
- Florida final tax certificate, if applicable, F.S. 733.817, F.S. 198.26.

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- Court Requirement: Death certificate(s) or proof of death of beneficiaries and nominated personal representative, if applicable.

- Receipt(s) of assets for all beneficiaries, F.S. 733.811.
- Accounting pursuant to FPR 5.400(a) and FPR 5.346 **or** waivers of accounting, F.S. 731.302 and FPR 5.180(a) and (b).
- Petition for Discharge with attached Schedule A and/or B, F.S. 198.23, F.S. 198.26, F.S. 733.901 and FPR 5.400(a), and (b).
- Service of the final accounting and petition for discharge on interested persons, FPR 5.400(c) **or** waivers, FPR 5.400(f) and FPR 5.180(a) and (b).
- Court requirement: Affidavit of No Separate Writing if none filed.

Check the Petition of Discharge for the following:

- Attorney's signature, address, phone number and Florida Bar Number (Rules of Judicial Administration 2.515(a).
- The signature of the personal representative(s), FPR 5.330(g).

Check the proposed Order of Discharge for the following:

- The correct Court jurisdiction (county/circuit) has been indicated.
- Provision for the Court's signature and date has been provided.
- Verify that the following have been filed, A-O No. 2005-065 PA-CIR:**
 - Wills
 - Bonds
 - Death certificates

Other:

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