

PUBLICATION UPDATE

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Florida Estates Practice Guide

Publication 737 Release 89

May 2010

HIGHLIGHTS

Sample FLSSI and Federal Forms Updated

Estate Planning Resource Page on Lexis.com

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Estates Practice and Elder Law Web Center

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In this Forms Update release of Florida Estates Practice Guide, Sample FLSSI

forms as well as Federal and State tax forms have been updated.

Revised Federal and State forms are:

- SS-4—Application for Employer Identification Number
- 706—United States Estate (and Generation-Skipping Transfer) Tax Return
- 706NA—United States Estate (and Generation-Skipping Transfer) Tax Return (Estate of nonresident not a citizen of the United States)
- 1040 with Schedules A and B—U.S. Individual Income Tax Return
- 1041 with Schedules D and K-1—U.S. Income Tax Return for Estates and Trusts
- 4868—Application for Automatic Extension of Time To File U.S. Individual Income Tax Return
- DR-308—Request and Certificate for Waiver and Release of Florida Estate Tax Lien
- F-706—Florida Estate Tax Return for Residents, Nonresidents, and

Nonresident Aliens

New FLSSI Forms included in this release are:

- G-4.023—Physicians Report – Minor Ward
- G-4.095—Acceptance And Certification By Depository

Revised Guardianship FLSSI Forms included in this release are:

- G-1.010—Formal Notice
- G-1.011—Formal Notice (adversary)
- G-1.015—Proof of Service of Formal Notice
- G-1.016—Proof of Service of Formal Notice (adversary)
- G-2.010—Petition to Determine Incapacity
- G-2.021—Notice of Petition to Determine Incapacity (when no petition for appointment of guardian has been filed)
- G-2.100—Suggestion of Capacity
- G-3.010—Petition for Appointment of Emergency Temporary Guardian
- G-3.020—Petition for Appointment of Guardian of Minor (Guardianship of Person and Property)
- G-3.021—Petition for Appointment of Guardian of Minor (Guardianship of Person)
- G-3.022—Petition for Appointment of Guardian of Minor (Guardianship of Property)
- G-3.023—Petition for Appointment of Plenary Guardian (Incapacity - person and property)
- G-3.024—Petition for Appointment of Plenary Guardian (Incapacity - person)

- G-3.025—Petition for Appointment of Plenary Guardian (Incapacity - property)
- G-3.026—Petition for Appointment of Limited Guardian (Incapacity - person and property)
- G-3.027—Petition for Appointment of Limited Guardian (Incapacity - person)
- G-3.028—Petition for Appointment of Limited Guardian (Incapacity - property)
- G-3.030—Certificate of Service of Petition for Appointment of Plenary Guardian (Notice to persons not served by Clerk)
- G-3.031—Certificate of Service of Petition for Appointment of Limited Guardian (Notice to persons not served by Clerk)
- G-3.035—Petition for Voluntary Guardianship Petition for Foreign Guardian to Manage Property of Non-Resident Ward
- G-3.056—Order Directing Investigation
- G-3.058—Petition for Exemption of Guardian from Education Requirements
- G-4.010—Initial Guardianship Plan (Guardianship Report) of Guardian of Person (minor ward)
- G-4.015—Initial Guardianship Plan (Guardianship Report) of Guardian of Person (adult ward)
- G-4.016—Proof of Service of Initial Guardianship Report of Guardian of Person (Former G-4.010)
- G-4.019—Annual Guardianship Plan (Guardianship Report) of Guardian of Person (minor ward)
- G-4.020—Annual Guardianship

- Plan (Guardianship Report) of Guardian of Person (adult ward)
- G-4.021—Proof of Service of Annual Guardianship Report of Guardian of Person (Former G-4.012)
- G-4.025—Accounting (Guardianship Report) of Guardian of Property
- G-4.026—Petition for Order Waiving Audit Fees
- G-4.029—Proof of Service of Annual Guardianship Accounting of Guardian of Property (Former G-4.013)
- G-4.036—Order Disapproving Verified Inventory of Guardians of Property and Compelling Compliance
- G-4.040—Order Approving Annual Guardianship Plan of Guardian of the Person
- G-4.041—Order Approving Annual Guardianship Accounting of Guardian of the Property
- G-4.045—Order Disapproving Annual Guardianship Plan of Guardian of the Person and Compelling Compliance
- G-4.046—Order Disapproving Annual Guardianship Accounting of Guardian of Property and Compelling Compliance
- G-4.060—Verified Inventory of Guardian (Initial Guardianship Report of Guardian of the Property)
- G-4.061—Proof of Service of Initial Guardianship Report of Guardian of Property (Former G-4.011)
- G-4.066—Proof of Service of Inventory of Safe Deposit Box
- G-4.070—Petition for Appointment of Appraiser(s)
- G-4.080—Petition for Order Designating Depository for Assets
- G-4.081—Petition for Order Designating Depository for Assets (Investment powers)
- G-4.086—Order Designating Depository for Assets (Investment powers)
- G-4.090—Acceptance of Designation as Depository and Receipt of Assets
- G-4.091—Acceptance of Designation as Depository and Receipt of Assets (investment powers)
- G-4.110—Petition for Interim Judicial Review
- G-4.120—Petition for Order Authorizing Periodic Payments to Guardian of Person
- G-4.125—Petition for Order Authorizing Periodic Withdrawals from Restricted Depository for Payments to Guardian of Person
- G-4.140—Petition for Order Authorizing Payments for Ward's Dependent
- G-4.145—Petition by Guardian for Order Determining If Payments Should be Made for Ward's Dependent
- G-4.150—Petition for Order Authorizing Payment of Attorney's Fees and Expenses
- G-4.155—Petition for Order Authorizing Payment of Compensation and Expenses of Guardian
- G-5.050—Request for Notice and Copies
- G-5.055—Petition to Require Guardianship Report and Request for Service of Copy

- G-6.010—Resignation of Guardian
- G-6.011—Notice of Resignation of Guardian
- G-6.014—Petition to Remove Guardian
- G-6.020—Final Report of Guardian of the Property
- G-6.025—Petition for Discharge of Guardian
- G-6.026—Petition for Discharge of Guardian (depository)
- G-6.027—Petition for Discharge of Guardian (Waiver by Ward and consent to distribution)
- G-6.028—Petition for Discharge of Guardian (depository - waiver by Ward and consent to distribution)
- G-6.050—Notice of Final Report and Accounting and Petition for Discharge
- G-6.055—Report of Distribution
- G-6.070—Petition for Discharge of Guardian of Person (upon death of Ward)
- G-6.076—Notice of Discharge of Guardian of the Person Upon Death of the Ward
- P-1.0511—Proof of Service of Formal Notice (adversary)
- P-1.0530—Notice of Hearing
- P-1.0531—Notice of Hearing (adversary)
- P-1.0600—Consent and Waiver of Notice
- P-1.0610—Consent and Waiver of Notice (copy attached)
- P-1.0620—Joinder, Waiver and Consent
- P-1.0630—Notice of Disqualification of Personal Representative
- P-2.0100—Disposition of Personal Property Without Administration (verified statement)
- P-2.0205—Petition for Summary Administration (testate)
- P-2.0215—Petition for Summary Administration (intestate)
- P-2.0220—Petition for Summary Administration (testate nonresident decedent)
- P-2.0225—Petition for Summary Administration (intestate nonresident decedent)
- P-2.0355—Notice to Creditors (summary administration)
- P-2.0800—Petition to Admit Foreign Will to Record

Revised Probate FLSSI Forms included in this release are:

- P-1.0100—Petition to Open Safe Deposit Box
- P-1.0310—Caveat by Interested Person (other than a creditor)
- P-1.0400—Request for Notice and Copies
- P-1.0500—Formal Notice
- P-1.0501—Formal Notice (adversary)
- P-1.0510—Proof of Service of Formal Notice
- P-3.0100—Petition for Administration (testate Florida resident—single petitioner)
- P-3.0110—Petition for Administration (testate Florida resident—multiple petitioners and single PR)
- P-3.0111—Petition for Administration (testate Florida resident—multiple petitioners and PRs)
- P-3.0120—Petition for Administration (intestate Florida

- resident—single petitioner)
- P-3.0130—Petition for Administration (intestate Florida resident—multiple petitioners, single PR)
- P-3.0131—Petition for Administration (intestate Florida resident—multiple petitioners and PRs)
- P-3.0140—Petition for Administration (testate nonresident—single petitioner)
- P-3.0150—Petition for Administration (testate nonresident—multiple petitioners and single PR)
- P-3.0151—Petition for Administration (testate nonresident—multiple petitioners and PRs)
- P-3.0160—Petition for Administration (intestate nonresident—single petitioner)
- P-3.0170—Petition for Administration (intestate nonresident—multiple petitioners and single PR)
- P-3.0171—Petition for Administration (intestate nonresident—multiple petitioners and PRs)
- P-3.0320—Proof of Will
- P-3.0330—Proof of Codicil
- P-3.0350—Petition for Appointment of Commissioner
- P-3.0360—Commission
- P-3.0500—Petition to Waive Bond of Personal Representative
- P-3.0510—Waiver of Bond by an Interested Party
- P-3.0520—Bond of Personal Representative
- P-3.0802—Notice of Administration
- P-3.0830—Proof of Service of Notice of Administration
- P-3.0831—Statement Regarding Creditors (individual)
- P-3.0832—Statement Regarding Creditors (corporate)
- P-3.0900—Inventory
- P-3.0901—Inventory (ancillary)
- P-3.0905—Notice to Beneficiaries Regarding Inventory
- P-3.0910—Request for Copy of Inventory
- P-3.0920—Proof of Service of Inventory
- P-3.0930—Petition to Extend Time for Filing Inventory
- P-3.0950—Notice of Federal Estate Tax Return Due
- P-3.1001—Personal Representative’s Proof of Claim (debts paid)
- P-3.1002—Personal Representative’s Proof of Claim
- P-3.1010—Statement of Claim By
- P-3.1020—Objection to Claim
- P-3.1021—Objection to Personal Representative’s Proof of Claim (items listed as “to be paid”)
- P-3.1033—Notice to Creditor to File Petition for Extension
- P-3.1041—Petition For Order Striking Untimely Filed Claim
- P-4.0100—Petition for Allocation of Spouse’s Share (lineal descendants are issue of spouse)
- P-4.0200—Petition to Determine Exempt Property
- P-4.0210—Order Determining Exempt Property (surviving spouse)

- P-4.0220—Order Determining Exempt Property (children of decedent; no surviving spouse)
- P-4.0300—Petition for Family Allowance
- P-4.0310—Order Authorizing Family Allowance (periodic payments)
- P-4.0311—Order Authorizing Family Allowance (lump sum)
- P-4.0400—Notice of Personal Representative Taking Possession of Protected Homestead
- P-4.0410—Petition to Determine Homestead Status of Real Property (intestate)
- P-4.0420—Petition to Determine Homestead Status of Real Property (testate)
- P-4.0454—Order Determining Homestead Status of Real Property (Intestate - spouse, no lineal descendants - exempt from claims)
- P-4.0456—Order Determining Homestead Status of Real Property (Intestate - lineal descendants, no spouse - exempt from claims)
- P-4.0457—Order Determining Homestead Status of Real Property (Intestate - spouse, lineal descendants, exempt from claims)
- P-4.0462—Order Determining Homestead Status of Real Property (Testate - not devised, spouse and minor child - exempt from claims)
- P-4.0463—Order Determining Homestead Status of Real Property (Testate - not devised, minor child but no surviving spouse - exempt from claims)
- P-4.0464—Order Determining Homestead Status of Real Property (Testate - validly devised, spouse, no minor child - exempt from claims)
- P-4.0466—Order Determining Homestead Status of Real Property (Testate - validly devised, heirs, no spouse, or minor child - exempt from claims)
- P-4.0468—Order Determining Homestead Status of Real Property (Testate - validly devised to persons other than heirs, no spouse or minor - not exempt from claims)
- P-4.0540—Election to Take Elective Share
- P-4.0545—Notice of Election to Take Elective Share
- P-4.0550—Proof of Service of Notice of Election to Take Elective Share
- P-4.0555—Order Determining Spouse's Entitlement to Elective Share
- P-4.0560—Petition to Determine Amount of Elective Share (contribution not required)
- P-4.0565—Order Determining Amount of Elective Share (contribution not required)
- P-4.0570—Petition to Determine Amount of Elective Share (contribution required)
- P-4.0575—Order Determining Elective Share (contribution required)
- P-4.0600—Declaration that Proceeding is Adversary
- P-4.0650—Notice of Civil Action
- P-4.0700—Notice of Ancillary Administration
- P-4.0820—Petition for Order Des-

- ignating Depository for Assets
 - P-4.0830—Acceptance for Designation as Depository and Receipt of Assets
 - P-4.0840—Order Designating Depository for Assets
 - P-5.0100—Petition to Extend Time for Filing Final Accounting and Petition for Discharge
 - P-5.0300—Notice of Interim Accounting
 - P-5.0340—Accounting of Personal Representative(s)
 - P-5.0400—Petition for Discharge (single personal representative)
 - P-5.0401—Petition for Discharge (multiple personal representatives)
 - P-5.0410—Notice of Final Accounting and Petition for Discharge
 - P-5.0411—Proof of Service of Notice of Final Accounting and Petition for Discharge
 - P-5.0420—Receipt of Petition for Discharge and Accounting and Consent to Distribution
 - P-5.0500—Waiver of Accounting and of Service of Petition for Discharge
 - P-5.0511—Receipt (with refunding language)
 - P-5.0550—Petition for Discharge (full waiver)
 - P-5.0551—Petition for Discharge (full waiver – multiple PRs)
 - P-5.0570—Waiver of Accounting, Portions of Petition for Discharge, Service of Petition for Discharge and Receipt of Beneficiary and Consent to Discharge (full waiver)
 - P-5.0600—Personal Representative's Release and Certificate of Distribution of Real Property (single individual personal representative)
 - P-5.0605—Personal Representative's Release and Certificate of Distribution of Real Property (multiple individual PRs)
 - P-5.0610—Personal Representative's Release and Certificate of Distribution of Real Property (corporate PRs)
 - P-5.0700—Report of Distribution (single personal representative)
 - P-5.0701—Report of Distribution (multiple personal representatives)
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