

FLORIDA PROBATE DEADLINES & TIMELINES

TYPE OF FILING	DEADLINES	AUTHORITY
Tenant in Common Election	6 months from DOD	F.S. 723.401
Filing Original Will	10 days from knowledge of death	F.S. 732.901
To object to will, PR or Jurisdiction	20 days from Service of Formal Notice <i>or</i> 3 months from service of NOA	Pr. R. 5.040(a); Pr. R. 5.200; Pr. R. 5.201; F.S. 733.212 F.S. 733.212(3); Pr. R. 5.240
Filing Evidence of Death	Not later than 3 months following date of first publication of notice to creditors (in formal and ancillary); any time prior to entry of order of summary administration	Pr. R. 5.205
Filing Inventory	60 days issuance of Letters	Pr. R. 5.340
Filing Inventory of Safe-Deposit Box	Within 10 days of initial opening	Pr. R. 5.342
Filing Petition for Exempt Property	4 months from service of NOA <i>or</i> 40 days after termination of proceeding for will contest or will construction	F.S. 732.402; Pr. R. 5.406 F.S. 732.402
Filing Election for Elective Share	Earlier of 6 months from service of NOA; or 2 years from DOD	F.S. 732.2135
Service of Elective Estate Inventory and Petition to Determine Amount	Within 60 days after entry of the order determining entitlement	Pr. R. 5.360
Filing for Family Allowance	Any time during administration	F.S. 732.403; Pr. R. 5.407
Filing Election for Community Property	Within 3 months of service of NOA on surviving spouse	F.S. 732.221; F.S. 732.333
Filing a Creditor Claim; or PR's proof of claim	Later of 3 months after 1 st publication of NTC; or 30 days after service of NTC; All claims barred after 2 years	F.S. 733.702 (extension only upon motion to extend); Pr. R. 5.490; Pr. R. 5.498; F.S. 733.710
To Object to a Claim	Later of 4 months after publication of NTC; or 30 days from timely filing of claim	F.S. 733.705 (extension by court only upon motion for good cause); Pr. R. 5.496 (Objection must be served within 10 days of filing); Pr. R. 5.499
To File independent action on claim or declaratory action	30 days from service of objection	F.S. 733.705(5) (PR Must agree in writing to an extension)
To file Proof of Publication	Must be filed with court within 45 days of 1 st publication	Pr. R. 5.241(c)
Statement re: Creditors	Must be filed within 4 months from date of 1 st publication	Pr. R. 5.241(d)
Affidavit of No FL Estate Tax Due	12 months from LOA (nontaxable)	
Final Accounting	12 months from LOA (nontaxable)	Pr. R. 5.400
Petition for Discharge	12 months from LOA (nontaxable)	Pr. R. 5.400
Objection to Final Accounting and Petition for Discharge/ Interim Accounting	30 days from service of Notice	Pr. R. 5.401
NOH on Objection to Final Accounting or Petition for Discharge	NOH must be served within 90 days of Objection or objections are waived	Pr. R. 5.401