



Florida Statute 732.402, 735.301 and Florida Probate Rules 5.420 & 5.205(a)(4)

Purpose: This probate proceeding is used to request release of assets of a decedent leaving only personal property as described in Fla. Stat. 732.402, personal property exempt from the claims of creditors under the Constitution of Florida, and nonexempt personal property the value of which does not exceed the sum of the amount of preferred funeral expenses and reasonable and necessary medical and hospital expenses of the last 60 days of the last illness. Assets are things held in the decedent's name alone. The value must be for the entire estate; you cannot probate a portion of the estate. The decedent must have been a resident of Putnam County.

The Clerk's Disposition form is not intended to provide legal advice or serve as an alternative to consulting with an attorney to protect your interest. This may not be appropriate to be used to secure an (Intestate Small Estate Affidavit) for the Distribution of the Exempt Personal Property under Florida Statute 735.304 or any other probate causes of action other than those stated above. The Clerk is not a legal resource or legal form repository. No other forms are available on the Clerk's website <https://putnamclerk.com> to initiate probate.

Documents Needed:

1. CERTIFIED COPY OF DEATH CERTIFICATE
2. ORIGINAL WILL (*if applicable*)
3. CONSENT SIGNED BY ALL HEIRS(*if applicable-form included in packet*)
4. DESCRIPTION OF ASSETS (*such as a bank statement or letter from nursing home*) THAT INCLUDES ANY ACCOUNT NUMBERS, NAME AND ADDRESS OF FIDUCIARY OR FACILITY, AND AMOUNT OR VALUE.
5. COPY OF FUNERAL BILL OR RECEIPT.
6. COPY OF ANY MEDICAL BILLS OR RECEIPTS FOR THE LAST 60 DAYS IF NOT COVERED BY INSURANCE.
7. LIST OF ANY OTHER CREDITORS (*bills owed by the decedent at the time of death*).
8. FILING FEE OF \$231.00 (**non-refundable**)

If filing in-person with the Clerk's Office, all documents should be submitted to:

Customer Service Center
518 St Johns Ave
Palatka, FL, 32177

The Court will review all documents filed and if approved, an Order will be mailed by the Courts to the Petitioner authorizing distribution of the assets. Petitioner may be required to obtain certified copies of the Order to provide to Facilities. **Copies are \$1.00 per page and \$2.00 for each certification.**

There is NO guarantee that the Court will approve the Petition and an attorney may be required to file additional probate proceedings. If you have any questions, you may contact the Probate Department at (386)326-7620.



Florida Statute 732.402, 735.301 and Florida Probate Rules 5.420 & 5.205(a)(4)

735.301 Disposition without administration.—

(1) No administration shall be required or formal proceedings instituted upon the estate of a decedent leaving only personal property exempt under the provisions of s. 732.402, personal property exempt from the claims of creditors under the Constitution of Florida, and nonexempt personal property the value of which does not exceed the sum of the amount of preferred funeral expenses and reasonable and necessary medical and hospital expenses of the last 60 days of the last illness.

(2) Upon informal application by affidavit, letter, or otherwise by any interested party, and if the court is satisfied that subsection (1) is applicable, the court, by letter or other writing under the seal of the court, may authorize the payment, transfer, or disposition of the personal property, tangible or intangible, belonging to the decedent to those persons entitled.

(3) Any person, firm, or corporation paying, delivering, or transferring property under the authorization shall be forever discharged from liability thereon.

732.402 Exempt property.—

(1) If a decedent was domiciled in this state at the time of death, the surviving spouse, or, if there is no surviving spouse, the children of the decedent shall have the right to a share of the estate of the decedent as provided in this section, to be designated "exempt property."

(2) Exempt property shall consist of:

(a) Household furniture, furnishings, and appliances in the decedent's usual place of abode up to a net value of \$20,000 as of the date of death.

(b) Two motor vehicles as defined in s. 316.003, which do not, individually as to either such motor vehicle, have a gross vehicle weight in excess of 15,000 pounds, held in the decedent's name and regularly used by the decedent or members of the decedent's immediate family as their personal motor vehicles.

(c) All qualified tuition programs authorized by s. 529 of the Internal Revenue Code of 1986, as amended, including, but not limited to, the Florida Prepaid College Trust Fund advance payment contracts under s. 1009.98 and the Florida Prepaid College Trust Fund participation agreements under s. 1009.981.

(d) All benefits paid pursuant to s. 112.1915.

(3) Exempt property shall be exempt from all claims against the estate except perfected security interests thereon.

(4) Exempt property shall be in addition to protected homestead, statutory entitlements, and property passing under the decedent's will or by intestate succession.



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(5) Property specifically or demonstratively devised by the decedent's will to any devisee shall not be included in exempt property. However, persons to whom property has been specifically or demonstratively devised and who would otherwise be entitled to it as exempt property under this section may have the court determine the property to be exempt from claims, except for perfected security interests thereon, after complying with the provisions of subsection (6).

(6) Persons entitled to exempt property shall be deemed to have waived their rights under this section unless a petition for determination of exempt property is filed by or on behalf of the persons entitled to the exempt property on or before the later of the date that is 4 months after the date of service of the notice of administration or the date that is 40 days after the date of termination of any proceeding involving the construction, admission to probate, or validity of the will or involving any other matter affecting any part of the estate subject to this section.

(7) Property determined as exempt under this section shall be excluded from the value of the estate before residuary, intestate, or pretermitted or elective shares are determined.

**IN THE CIRCUIT COURT SEVENTH JUDICIAL CIRCUIT
IN AND FOR PUTNAM COUNTY, FLORIDA.**

IN RE: THE ESTATE OF:

PROBATE DIVISION

CASE NO. _____ CP

DIVISION _____

Deceased.

**DISPOSITION OF PERSONAL PROPERTY WITHOUT ADMINISTRATION
Verified statement**

Petitioner, _____, alleges:

1. Petitioner, whose address is _____ and whose social security number is _____ - _____ - _____, is the _____ of who died at _____ on _____, _____, a resident of _____ and, if known, whose age was _____ and whose social security number is _____ - _____ - _____.

The decedent left no will.

The decedent's will was deposited with the clerk on _____

2. So far as is known, the names of the beneficiaries of decedent's estate and of the decedent's surviving spouse, if any, their addresses and relationships to decedent, and the dates of birth of any who are minors, are:

NAME	ADDRESS	RELATIONSHIP	DOB(IF MINOR)

3. The estate of decedent consists only of personal property exempt under the provisions of Section 732.402 of the Florida Probate Code, personal property exempt from the claims of creditors under the Constitution of Florida, and non-exempt personal property the value of which does not exceed the sum of the amount of preferred funeral expenses and reasonable and necessary medical and hospital expenses of the last 60 days of the decedent's last illness, all being described as follows:

EXEMPT:

Description	Value
_____	_____
_____	_____

NON-EXEMPT:

Description	Value
_____	_____
_____	_____

4. Preferred funeral expenses (statement or receipt attached):

Services by	Amount	Paid or Due
_____	_____	_____

5. Medical and hospital expenses for the last 60 days of last illness (statement or receipt attached):

Services by	Type of Services	Amount	Paid or Due
_____	_____	_____	_____
_____	_____	_____	_____

6. Other debts of decedent:

Creditor	Goods or Services (how incurred)	Amount
_____	_____	_____
_____	_____	_____

7. Requested payment or distribution to:

Name	Property	Amount or Value
_____	_____	_____
_____	_____	_____

8. I know of no other assets or debts of the decedent except: _____

Under penalties of perjury, I declare I have read the foregoing and the facts alleged are true, to the best of my knowledge and belief.

(Signature of Petitioner)

(Print Name of Petitioner)

Address

Telephone

STATE OF _____
COUNTY OF _____

Sworn to or affirmed and signed before me on _____ by _____.

NOTARY PUBLIC or DEPUTY CLERK

{Print, type, or stamp commissioned name of notary or clerk.}

_____ Personally known
_____ Produced identification
Type of identification produced _____

**IN THE CIRCUIT COURT SEVENTH JUDICIAL CIRCUIT
IN AND FOR PUTNAM COUNTY, FLORIDA.**

IN RE: THE ESTATE OF:

PROBATE DIVISION

CASE NO. _____ - _____ -CP
DIVISION _____

Deceased

CONSENT TO DISTRIBUTION OF PERSONAL PROPERTY

The undersigned consents to _____, the petitioner, receiving the following property:

DESCRIPTION OF ASSETS	VALUE
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

and waives all claims, rights, title, and interest in said property.

(Signature)

(Printed Name)

(Address) (City, State, Zip)

(Telephone)

STATE OF _____
COUNTY OF _____

Sworn to or affirmed and signed before me on _____ by _____.

NOTARY PUBLIC or DEPUTY CLERK

{Print, type, or stamp commissioned name of notary or clerk.}

_____ Personally known
_____ Produced identification
Type of identification produced _____

**IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL
CIRCUIT IN AND FOR PUTNAM COUNTY, FLORIDA**

IN RE: ESTATE OF

CASE NO: _____

Deceased.

_____ /

**ORDER FOR DISPOSITION OF PERSONAL PROPERTY
WITHOUT ADMINISTRATION**

On the verified statement of _____, for an Order for Disposition of Personal Property without Administration on the estate of _____, deceased, the Court finds that the decedent was a resident of Putnam County, Florida, and died on _____.

At the time of death, the decedent was the owner of the following described assets:

ASSET	LOCATION OF ASSET	APPROXIMATE VALUE OF ASSET

As this estate is so small, administration will not be required by this Court. In view of the foregoing, this is your authority pursuant to F.S. 735.301 to distribute the assets shown above to the following:

NAME	ADDRESS	AMOUNT and PERCENTAGE OF DISTRIBUTION

It is **ORDERED** that the assets be PAID, TRANSFERRED or MAILED directly to the beneficiaries or claimants as set forth in this Order.

ADJUDGED FURTHER that the debtors of the decedent, those holding property of the decedent, and those with whom securities or other property of the decedent are registered, are authorized to comply with this Order, and any person, firm or corporation paying, delivering or transferring property under this Order shall be forever discharged from any liability thereon.

ORDERED at Putnam County, Florida, this _____ day of _____, 20____.

CIRCUIT JUDGE

CLERK'S CERTIFICATE OF MAILING

I hereby certify that a copy of this Order was mailed/delivered to the following interested persons on _____, 20____.

Certified copies mailed to:

Copies mailed to:

Matt Reynolds
PUTNAM COUNTY CLERK OF THE
CIRCUIT COURT AND COMPTROLLER

Deputy Clerk