Checklist for:

**PETITION TO ESTABLISH LOST OR DESTROYED WILL**

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| Estate of: |
| |  |  |  |  |  | | --- | --- | --- | --- | --- | | File #: |  | Date: | |  | | Attorney: |  | |  |  | |

**See, F.S §733.207 & PR 5.510; *Stewart v. Johnson,* 601 So. 2d 1266 (Fla. 3d DCA 1992) (presumption of revocation if original cannot be found*).***

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| Docket# | Item# | Date |  |
|  |  |  | Statement of facts constituting grounds for relief [5.510(b)] |
|  |  |  | Petition includes copy of will or its substance [5.510(b)] |
|  |  |  | Testimony of each witness reduced to writing and filed [733.207, 5.510©] |
|  |  |  | Formal notice to those who, but for the will, would be entitled to the property thereby devised [5.510(d)] |
|  |  |  | Contents proved by two disinterested witnesses [733.207] OR |
|  |  |  | If a correct copy is provided, proved by one disinterested witness [733.207] |
|  |  |  | Order admitting will recites full terms of will, or attaches copy [5.510(e)] |
|  |  |  | Allegations or petition are sufficient to overcome presumption that if the “lost” will was not in possession of testator prior to death and if the “lost” will cannot be located subsequent to death, the “lost” will is presumed destroyed by testator with intention of revoking it. Requires competent and substantial evidence to overcome this presumption. *Stewart v. Johnson,* 194 So. 869 (Fla. 1940), *Walton v. Walton,* 601 So. 2d 1266 (Fla. 3d DCA 1992), *Daul v. Goff,* 754 So. 2d 847 (Fla. 2d DCA 2000), *In Re Estate of Washington* 56 So. 2d 545 (Fla. 1952). |

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| **Testate Beneficiaries** | **Intestate Beneficiaries** |
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| Comments: |
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