

## Wills & Probate in Florida

COCOA, FL, UNITED STATES, June 22, 2022 /EINPresswire.com/ -- Recently lost a loved one and dealing with the [wills and probate](#) process in Florida? Understand the steps you need to perform to receive an inheritance. Probate is a legal process in which property is transferred from the deceased individual's name to their living relative or persons legally entitled to receive it. Florida has probate rules that determine who might receive the deceased's properties in the state.



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Let's explore Florida probate laws in detail!

### What Is Probate?

Also known as estate administration, probate is a court procedure that transfers the assets owned by a departed individual to living people. When a person dies in Florida, the assets they possessed when they were alive go to their family. Alternatively, if they have a will, their assets go to the beneficiaries mentioned in that will.

In probate, the deceased individual is referred to as the "decendent." Everything the decendent owned at the time of their death is collectively mentioned as the "estate." A decendent's estate can include real estate, bank accounts, jewelry, vehicles, tools, guns, or other items they owned when they died. If a decendent had prepared a valid will during their life, that document decides who will head the probate process and who will receive the decendent's estate upon their death. If the decendent did not have a will, their estate would be divided in accordance with Florida Statutes amongst their next of kin, known as the intestate heirs.

Probate is required even when a decendent drafted a valid will before their death. When a person with a will dies, a probate judge "admits the will" to probate by ensuring the will is valid. Under Florida probate rules, the judge can only transfer the estate according to the decendent's will after the estate is opened in court.

The persons mentioned to be receiving the estate in the will are known as “beneficiaries,” and “heirs”. The next of kin often receive the estate in the absence of a will. Whether a person died with or without a will, the court is tasked with the responsibility of ensuring that the correct heirs or beneficiaries are identified to receive the decedent’s estate.

## Two Types of Probate Administrations

Florida has two kinds of probate administration – summary and formal. Summary administration is a simplified process, while formal administration is needed for particular estates that require the services of a personal representative or are simply too extensive for a summary administration.

Once the heirs or beneficiaries of the estate are recognized, the correct probate documents are submitted to the court so that the judge can sign orders allowing the transfer of the estate. Before the estate is distributed, the probate judge must be satisfied that all relevant parties are given appropriate notice, eligible estate creditors are identified, and all disputes among the beneficiaries or heirs are resolved.

Even though chapters 731-735 of the Florida Statutes contain Florida probate laws, each county in the state has specific rules that need to be met before the court allows a case to move forward. This [Complete Guide to Wills & Probate](#) can help navigate the estate administration process in Brevard and surrounding counties in Florida to secure court orders in your favor.

## What Does a Florida Probate Lawyer Do?

Hiring the right [probate attorney](#) can help with a smooth probate administration. . An experienced Florida probate lawyer educates about the law that applies to a case, presents the case in the probate court, and secures the best result in the court. The probate process in Florida can be very complicated and full of pitfalls if not handled correctly.

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