FREE PROBATE GUIDE

The Florida Probate Timeline: What to Expect, Step by Step

A plain-English overview for out-of-state personal representatives handling an estate with property in Palm Beach County, Florida.

1 Petition & Appointment — Weeks 1–4

The will is filed with the court and a petition is submitted. The court issues Letters of Administration, officially appointing the personal representative and granting authority to act on the estate's behalf.

2 Gathering the Estate — Months 1–3

The personal representative identifies, secures, and inventories the estate's assets — including any real property — and files that inventory with the court.

3 Notice to Creditors — Months 1–4

A Notice to Creditors is published, opening a mandatory 3-month window for creditors to file claims against the estate. Florida law does not allow this window to be shortened — it's the single biggest fixed timeframe in the process.

4 Settling Debts & Expenses — Months 3–6

Valid creditor claims are reviewed and paid, along with any taxes and administration expenses, before remaining assets can be distributed.

5 Closing the Estate — Months 6–12

A final accounting is filed, the court discharges the personal representative, and remaining assets — including proceeds from any property sale — are distributed to beneficiaries.

Smaller estates may move faster. Estates valued at $75,000 or less (excluding homestead property), or where the passing occurred more than two years ago, often qualify for Summary Administration — a shorter process that can close in as little as 1 to 3 months.

Where the home sale fits in: A property often can be listed and marketed well before the estate itself is fully closed, once the personal representative has authority to act. Every estate is different — your probate attorney can confirm the timing for your specific case.

Two notices that can apply, depending on the estate: If the decedent received Medicaid benefits, Florida law requires notifying the Agency for Health Care Administration (AHCA) before the estate can close, so it can pursue any Medicaid estate-recovery claim. And if assets are being transferred to a minor heir, a separate claim of exemption may need to be filed. Your probate attorney will know if either applies to your case.

This guide is for general educational purposes only and is not legal advice. Probate timelines vary by county, estate complexity, and individual circumstances — please consult a licensed Florida probate attorney regarding your specific situation.

"Even if you're just starting to figure out the process, I'm happy to walk you through what this typically looks like — no pressure, just clarity."

Craig Schreiber
"Your Home, Handled with Care."

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