

SUPREME COURT OF FLORIDA

In re: Amendments to Florida Probate Rule 5.010

No. SC2025-0667 · No. SC2025-0667 · Decided October 30, 2025

SUMMARY

The Supreme Court of Florida adopts amendments to Florida Probate Rule 5.010 to reference Part V, concerning forms, in the Florida Probate Rules. The amendments and revised committee notes become effective January 1, 2026, at 12:01 a.m.

CASE DETAILS

COURT	Supreme Court of Florida
WRITING FOR THE COURT	Per Curiam; Chief Justice Muñoz; Justice Canady; Justice Labarga; Justice Couriel; Justice Grosshans; Justice Francis; Justice Sasso
JURISDICTION	Supreme Court of Florida
DECIDED	October 30, 2025
DOCKET	SC2025-0667
DISPOSITION	approved
PROCEDURAL POSTURE	Original proceeding concerning a proposal by The Florida Bar's Probate Rules Committee to amend Florida Probate Rule 5.010.
PRECEDENTIAL VALUE	Published rulemaking opinion

TOPICS

- probate procedure
- guardianship procedure
- probate
- guardianships

PRACTICE AREAS

- probate
- guardianship
- appellate procedure

QUESTIONS PRESENTED

- Whether Florida Probate Rule 5.010 should be amended to reference Part V, the forms portion of the Florida Probate Rules.
- When the adopted amendments should become effective.

HOLDINGS

1. The court adopted the proposed amendments to Florida Probate Rule 5.010 and its Committee Notes, adding that Part V provides forms.
2. The amendments shall become effective on January 1, 2026, at 12:01 a.m., and the filing of a motion for rehearing shall not alter that effective date.

KEY QUOTATIONS

“We adopt the amendments to rule 5.010 as proposed by the Committee.” (-2-)

“The amendments shall become effective on January 1, 2026, at 12:01 a.m.” (-2-)

“THE FILING OF A MOTION FOR REHEARING SHALL NOT ALTER THE EFFECTIVE DATE OF THESE AMENDMENTS.” (-2-)

FACTUAL BACKGROUND

The Florida Bar's Probate Rules Committee proposed amending Florida Probate Rule 5.010 to add a reference to Part V of the Florida Probate Rules, which contains forms. The Committee and the Supreme Court published the proposal for comment, but no comments were received. The Florida Bar Board of Governors unanimously recommended adoption.

PROCEDURAL HISTORY

The Probate Rules Committee proposed amendments to Rule 5.010 and published the proposal for comment. No comments were received by the Committee or the Court, and the Florida Bar Board of Governors unanimously recommended acceptance. The Supreme Court of Florida adopted the proposed amendments and directed that they become effective January 1, 2026, at 12:01 a.m.

DISPOSITION

approved

CASES CITED

- In re Amendments to the Florida Probate Rules—Guardianship, 301 So. 3d 859 (Fla. 2020)

OPINION

PER CURIAM.

Supreme Court of Florida _____ No. SC2025-0667 _____ IN RE: AMENDMENTS TO FLORIDA PROBATE RULE 5.010. October 30, 2025 PER CURIAM. The Florida Bar's Probate Rules Committee proposes amending Florida Probate Rule 5.010 (Scope). 1 The Committee published the proposal for comment in The Florida Bar News; no comments were received by the Committee.

The Florida Bar's Board of Governors unanimously recommends acceptance of the proposed amendments. The Court published the Committee's proposal in the July 1, 2025, issue of The Florida Bar News; no comments were received by the Court.

We adopt the amendments to rule 5.010 as proposed by the Committee. Rule 5.010 states that these rules govern the 1. We have jurisdiction. See art. V, § 2(a), Fla. Const.; see also Fla. R. Gen. Prac. & Jud. Admin. 2.140(b). procedure in all probate and guardianship proceedings and lists the various parts of the rule set (Parts I-IV) and the purpose for each part.

We amend the rule to include a reference to Part V (Forms), which was adopted by the Court in *In re Amendments to the Florida Probate Rules—Guardianship*, 301 So. 3d 859 (Fla. 2020). We amend the Committee Notes to reflect this change.

Accordingly, we amend the Florida Probate Rules as reflected in the appendix to this opinion. New language is underscored; deleted language is stricken. The amendments shall become effective on January 1, 2026, at 12:01 a.m. It is so ordered. MUÑIZ, C.J., and CANADY, LABARGA, COURIEL, GROSSHANS, FRANCIS, and SASSO, JJ., concur. THE FILING OF A MOTION FOR REHEARING SHALL NOT ALTER THE EFFECTIVE DATE OF THESE AMENDMENTS.

Original Proceeding – Florida Probate Rules Michael A. Sneeringer, Chair, Probate Rules Committee, Bonita Springs, Florida, Erin Farrington Finlen, Past Co-Chair, Probate Rules Committee, Fort Lauderdale, Florida, Zackary T. Zuroweste, Past Co-Chair, Probate Rules Committee, Clearwater, Florida, Joshua E. Doyle, Executive Director, The Florida Bar, Tallahassee, Florida, and Heather Savage Telfer, Staff Liaison, The Florida Bar, Tallahassee, Florida, for Petitioner -2- APPENDIX RULE 5.010.

SCOPE These rules govern the procedure in all probate and guardianship proceedings and shall will be known as the Florida Probate Rules and may be cited as Fla. Prob. R. Part I applies to all proceedings. Part II applies to probate alone, Part III applies to guardianship alone, and Part IV applies to expedited judicial intervention concerning medical treatment procedures, and Part V provides forms.

The Florida Rules of Civil Procedure apply only as provided herein these rules. Committee Notes 1975 Revision - 2003 Revision [No Change] 2025 Revision: Rule amended to reference Part V of the Florida Probate Rules. Committee notes revised. Rule References [No Change] -3-