

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

1. Whether Florida Probate Rule 5.010 should be amended to reference Part V, the forms portion of the Florida Probate Rules.
2. 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)