

IN THE CIRCUIT COURT OF THE 16TH
JUDICIAL CIRCUIT OF THE STATE OF
FLORIDA IN AND FOR MONROE COUNTY

ADMINISTRATIVE ORDER 6.003

IN RE:

PROBATE ADVERSARY PROCEEDINGS/
CAPTION OF DOCUMENTS AND
FILING BY CLERK

_____ :

WHEREAS, Florida Probate Rule 5.025(a), designates specific proceedings as "adversary proceedings"; and

WHEREAS, Florida Probate Rule 5.025(d)(5), states that when the proceedings are adversary, the caption of subsequent pleadings, as an extension of the probate caption, shall include the name of the first petitioner and the name of the first respondent; and

WHEREAS, pursuant to that rule, all adversary probate proceedings should be styled accordingly. See, e.g.:

COURT CASE # _____

IN RE: ESTATE OF JOHN DOE

Jane Doe,

Petitioner,

vs.

Joe Doe, as Personal
Representative, et al.,

Respondents.

_____ /

WHEREFORE, IT IS ORDERED that the Clerk shall not file any document which is adversary in nature unless it is properly captioned as outlined above unless the court, by written order, has declared the proceeding to be nonadversary.

DONE AND ORDERED, in Chambers, at Plantation Key, Monroe County, Florida, this the 13 day of December, 1994.

J. Jefferson Overby
Chief Judge