

**Petition for Personal Representative Fees**

Estate of: \_\_\_\_\_

Case No: \_\_\_\_\_

Attorney: \_\_\_\_\_

Date: \_\_\_\_\_

**PR Fees = Commission (or fees specified under the will) + Extra Compensation**

\_\_\_\_ Notice to all parties. [5.041, See § 733.6175(4)]

\_\_\_\_ Will does not specify a method of payment for the PR. [§ 733.617(4); *University of Florida Foundation, Inc. v. Miller*, 478 So. 2d 482 (Fla. 1st DCA 1985)]. If it does, see statutory requirements.

\_\_\_\_ Probate inventory value + income of the estate (estate value): \$ \_\_\_\_\_ [§ 733.617(1)]

**Calculation of commission [Fla.Stat. § 733.617(2)]:**

- \$ Estate value up to \$1 million = 3% of first \$1M estate value
- \$ \$1 million < estate value ≤ \$5 million = 2.5% of estate value over \$1M
- \$ \$5 million < estate value ≤ \$10 million = 2% of estate value over \$5M
- \$ estate value over \$10 million = 1.5% of estate value over \$10M

\_\_\_\_ There is more than one PR, calculate the commissions as follows [§ 733.617(5)]:

- \$ **2 PRs** and estate value over \$100,000 – Each PR gets a full commission.
- \$ **2 or more PRs** and estate value less than \$100,000 – The PRs share a full commission (apportionment is based on the extent of the services each provided)
- \$ **More than 2 PRs** and estate value over \$100,000 – The primary PR (the one who has possession of and primary responsibility for administration of the assets) gets a full commission and the other PRs share a full commission (apportionment is based on the extent of the services each provided)

\_\_\_\_ Commission requested \$ \_\_\_\_\_ does not exceed commission allowed \$ \_\_\_\_\_

\_\_\_\_ The PR is requesting extra compensation [§ 733.617(3)] based on:

- \$ \_\_\_\_\_ Sale of real or personal property
- \$ \_\_\_\_\_ The conduct of litigation on behalf of or against the estate
- \$ \_\_\_\_\_ Involvement in proceedings for the adjustment or payment of any taxes
- \$ \_\_\_\_\_ The carrying on of the decedent’s business
- \$ \_\_\_\_\_ Dealing with the homestead
- \$ \_\_\_\_\_ Any other special services: \_\_\_\_\_

\_\_\_\_ PR is using time expended as basis for ordinary or extra compensation AND filed ... [§ 733.617(4)]

- \$ \_\_\_\_\_ Time records
- \$ \_\_\_\_\_ Hourly rate
- \$ \_\_\_\_\_ Basis of hourly rate

\_\_\_\_ No petition filed by interested person to increase or decrease compensation [§ 733.617(7)]