

SELECTING A PERSONAL REPRESENTATIVE

Generally speaking, anyone who is over the age of 18 and resides in Florida at the time of your death may act as your Personal Representative. There are certain limitations to this general rule, for example, the individual cannot be a felon, or mentally/physically incapable of performing the required duties.

An individual who resides outside of the state of Florida can qualify as personal representative if that individual is your: spouse, sibling, or other close relative. Someone who resides outside of the state of Florida and is a relative of your spouse will ***not*** qualify to serve as your personal representative. This means that you and your spouse may potentially be unable to have the same people named to serve as personal representatives under your documents.

Example Scenarios: In all examples, the people are over 18 and non-felons who do not have a mental or physical disability.

Potential Personal Representative	Husband	Wife
Florida Neighbor	Yes	Yes
Family Friend Lives in Florida	Yes	Yes
Family Friend Lives in Texas	No	No
Son Lives in Georgia	Yes	Yes
Husband's Sister Lives in Georgia	Yes	No
Husband's Brother-in-Law (married to the sister in the example above) Lives in Georgia	Yes	No
Wife's Aunt Lives in Florida	Yes	Yes
Wife's Aunt Lives in Georgia	No	Yes

For additional information regarding selecting your Personal Representative, contact us at contactus@deloachplanning.com.