

IN THE CIRCUIT COURT IN AND FOR SANTA ROSA COUNTY, FLORIDA

<p align="center">CHECKLIST FOR DETERMINING HOMESTEAD STATUS OF REAL PROPERTY IN FORMAL AND SUMMARY ADMINISTRATION</p>

Estate of: _____ Case No: _____

Date of Death: _____ Attorney of Record: _____

Age at Death: _____ Marital Status: _____

Decedent's Residence as Listed on Death Certificate: _____

Type of Estate: Testate ☐ Intestate ☐

	Attorney Certification			Review of Attorney Certification
	YES	NO	N/A	CONFIRMED
1. Certified Death Certificate Filed?				
2. Last Will and Testament				
Original Will filed?				
Date of Will: _____ Date of Codicil: _____	Fill in information to left			
If applicable, Notice of Trust # _____ Deposited Will # _____ 732.901 Guardianship # _____ Caveat # _____ 731.110 <small>[If caveat has been filed, notify attorney, must serve formal notice on the Caveator before further action can be taken on Petition for Summary 5.260(f); If a creditor-send Notice to Caveator when Letters are issued 5.260(e)]</small>	Fill in information to the left, if applicable			
If a copy is filed, a petition to establish lost will complying with 5.510 & 5.025 and 733.207 has been filed?				
Will is self-proved? 732.503, 733.201 If applicable, <input type="checkbox"/> self-proved under law where executed; <input type="checkbox"/> authority provided from other state where executed	If yes, mark boxes on left			
If not self-proved, an oath of witness is filed? 733.201(2)				
Properly executed? 732.502				
If not, proper oath? 733.201(2) / (3)				

		Attorney Certification			Review of Attorney Certification
		YES	NO	N/A	CONFIRMED
3.	Does the Petition for Determining Homestead Status of Real Property Contain the Following Information? FPR 5.405(b)				
	(1) the date of decedent's death				
	(2) the county of the decedent's domicile at the time of death;				
	(3) the name of the decedent's surviving spouse/descendants; and whether they are minor children, identified with name and year of birth;				
	(4) a Legal description of the property owned and resided on by the decedent;				
	Whether the real property constituted the protected homestead of the decedent; 5.405(c)				
	Formal Notice or Consent by interested parties 5.040/5.041				
4.	List of Beneficiaries:				
	<div></div> <div></div> <div></div> <div></div> <div></div>				
5.	List of Creditors:				
	<div></div> <div></div> <div></div> <div></div>				
6.	Intestate: F.S.732.401(1) Does the Proposed Order provide for a Life Estate for Spouse? Affidavit of Heirs filed if Pro Se'?	YES	NO	N/A	CONFIRMED
	Testate: F.S.732.4015(1) Is there a Surviving Spouse or minor child?	YES	NO	N/A	CONFIRMED
7.	For Formal Administration only: Three (3) months have passed after publication. Verified Statement Regarding Creditors filed. Notice to Creditors to AHCA (>55yo) Affidavit of No Florida Tax filed OR Federal Closing Letters filed.	YES	NO	N/A	CONFIRMED
	<div></div> <div></div> <div></div> <div></div>				

		Attorney Certification			Review of Attorney Certification
		YES	NO	N/A	CONFIRMED
8.	Is the Petition Properly Executed?				
	<input type="checkbox"/> Verified <input type="checkbox"/> Signed by Petitioner <input type="checkbox"/> Signed by attorney 5.020(a)	Fill in applicable information to the left			
9.	Miscellaneous				
	Has formal notice been served on any heir, beneficiary, or creditor not joining or consenting to the Petition?				
	If Testate, WILL does not direct sale—becomes non-exempt [<u>Price</u> 513//767; <u>Knadle</u> 686//681]				
10	Proposed Order Determining Homestead Status of Real Property filed?				
	<input type="checkbox"/> Shall describe real property (Legal Description) <input type="checkbox"/> Shall determine whether real property constituted homestead of decedent; <input type="checkbox"/> Identifies by name the person(s) entitled to homestead; <input type="checkbox"/> Defines the interest of person(s) receiving the protected homestead; <input type="checkbox"/> Finds that the homestead property descended to or was validly devised.	Fill in applicable information to the left			

I certify that I have personally reviewed the foregoing checklist and it is accurate. In making the certification, I have relied upon the information set forth in the pleadings and court filings.

Attorney for Estate: _____ **Date:** _____

Mailing Address: _____

City: _____ **State:** _____ **Zip:** _____

Phone Number: (____) _____

Email address: _____