

IN THE CIRCUIT COURT FOR THE 14th JUDICIAL CIRCUIT

PROBATE DIVISION

CHECKLIST for Petition To Determine Exempt Property - 1/2016

ESTATE OF:	Case No:	Date of Death:	
TYPE OF ESTATE:	Attorney of Record _____		
	Formal: (___) Summary: (___)	Testate: (___) Intestate: (___)	Ancillary: (___)

	<i>Reference: Florida Const. Art. X, Sec 4, and Rule 5.406; F.S. 732.402</i>	YES	NO
1.	<i>Certified Death Certificate filed?</i>		
2.	<i>All Required Notices to Creditors, Beneficiaries and Interested Parties Given?</i>		
	Notice of Administration served as required by R.5.240 and/or waivers ____ & proofs filed ____?		
	Notice to Creditors served ____ on DOR ____ on AHCA age 55+ ____ F.S. 733.2121?		
	Proof of publication of Notice to Creditors filed. R.5.241 ____? or claims are barred ____?		
	Verified diligent search Statement Regarding Creditors filed R.5.241 ____? or claims barred ____?		
	Notice or consents & waivers to petition to determine exempt property filed ____?		
3.	<i>Verified Inventory filed as required by F.S. 733.604?</i>		
	All proofs of service of inventory filed as required by R. 5.340 ?		
4.	<i>Taxes</i>		
	Affidavit of no FL tax due filed ____ F.S.198.32? or Non taxable certificate filed ____ F.S. 198.26?		
	Notice of Federal Tax Return filed and served ____? R. 5.395 Tax Return due date is ____?		
	<i>Federal Estate Tax Closing Letter filed?</i>		
5.	<i>Verified Petition to Determine Exempt Property complying with R. 5.406 filed?</i>		
	Petition describe property and the basis of exemption. 732.402 Exempt property.—(1) If a decedent was domiciled in this state at the time of death, the surviving spouse, or, if there is no surviving spouse, the children of the decedent shall have the right to a share of the estate of the decedent as provided in this section, to be designated "exempt property." (2) Exempt property shall consist of: (a) Household furniture, furnishings, and appliances in the decedent's usual place of abode up to a net value of \$20,000. (b) Two motor vehicles as defined in s. 316.003(21) used by the decedent or members of the decedent's immediate family as their personal motor vehicles. (c) All qualified tuition programs authorized by s. 529 of the Internal Revenue Code of 1986.. (d) All benefits paid pursuant to s. 112.1915		
	Petition state name of persons entitled to exempt property		
6.	<i>Order Determining Exempt Property complying with R. 5.406?</i>		
	Order list each item of exempt property and its value		
	Order list who is entitled to receive exempt property		

I certify that I have personally reviewed the foregoing checklist and it is accurate.

Attorney for Estate _____ **Date** _____