IN THE CIRCUIT COURT IN AND FOR SUMTER COUNTY, FLORIDA

CHECKLIST FOR DETERMINING HOMESTEAD STATUS OF REAL PROPERTY IN FORMAL AND SUMMARY ADMINISTRATION

Estate of: _____ **Case No:** _____**CP**_____

Date of Death: _____**Attorney of Record:** _____

Age at Death: _____ **Marital Status:** _____

Decedent's Residence as Listed on Death Certificate:

_____

Type of Estate: Testate ☐ Testate/Trust ☐ Intestate ☐

NOTE TO COUNSEL: Please fill out both columns of this checklist completely to assist the court in processing your client's pleading. If you do not provide correct dates in the Date Filed column for each item where a "YES" answer is provided, the checklist will be determined to be incomplete, and the court may deny the petition on that basis.

		Attorney Certification			
		YES	NO	N/A	DATE FILED
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 Case # _____ Caveat # _____ 731.110 [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)]	Fill in information to the left, if applicable			
	If a copy is filed, has a Petition to Establish Lost Will complying with 5.510 & 5.025 and 733.207 been filed?	☐	☐	☐	
	Is Will self-proved? 732.503, 733.201 If applicable, ☐ self-proved under law where executed; ☐ authority provided from other state where executed	☐ If yes, mark boxes on left	☐	☐	

		Attorney Certification			
		YES	NO	N/A	DATE FILED
	If not self-proved, is an oath of witness filed? 733.201(2)	☐	☐	☐	
	Properly executed? 732.502	☐	☐	☐	
	If not, proper oath? 733.201(2) / (3)	☐	☐	☐	
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:**				
	_____				
	_____				
	_____				
	_____				
5.	**List of Creditors:**				
	_____				
	_____				
	_____				
	_____				
	_____				

		YES	NO	N/A	CONFIRMED
6.	**Intestate: F.S.732.401(1)** Does the Proposed Order provide for a Life Estate for Spouse?				
	Testate: F.S.732.4015(1) Is there a Surviving Spouse or minor child?				
		YES	NO	N/A	CONFIRMED
		☐	☐	☐	

		Attorney Certification			
		YES	NO	N/A	DATE FILED
7.	**For Formal Administration only:** Verified Statement Regarding Creditors filed. Notice to Creditors to AHCA (>55yo)	YES	NO	N/A	CONFIRMED
		☐	☐	☐	
		☐	☐	☐	
		☐	☐	☐	
8.	**Is the Petition Properly Executed?**				
	☐ Verified ☐ Signed by Petitioner ☐ 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, and Will directs sale—Loses Homestead exemption See [Price 513 So. 2d 767; Knadle 686 So. 2d 681	☐	☐	☐	
	Checklist for Determining Homestead Status of Real Property (pursuant to Amended Administrative Order L-2022-24-A)	☐			
10.	**Proposed Orders**				
	Proposed Order Determining Homestead Status of Real Property. ☐ Shall describe real property (includes complete legal description); ☐ Shall determine whether real property constituted homestead of decedent; ☐ Identifies by name the person(s) entitled to homestead; ☐ Defines the interest of person(s) receiving the protected homestead; ☐ 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/Litigant for Estate: _____ **Date:** _____

Mailing Address: _____

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

Phone Number: (____) _____ **Email address:** _____

Attorney/Movant Signature: _____