Checklist for:

Petition to Determine Pretermitted Child

| Estate of: |
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| File #: |  | Date: |  |
| --- | --- | --- | --- |
| Attorney: |  |  |  |

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§732.302 Fla. Sat. Pretermitted children (pretermitted child shall receive a share of the estate equal in value to that which the child would have received if testator died intestate), §732.507(1) Effect of subsequent birth or adoption, §733.805(1) Order in which assets abate

| Docket# | Item# | Date |  |
| --- | --- | --- | --- |
|  |  |  | Was the decedent’s Will admitted to probate? [732.302, 733.103] |
|  |  |  | Does the decedent’s Will fail to provide for child born or adopted after date of execution of Will? [732.302] |
|  |  |  | Did the omitted child receive a part of the testator’s property equivalent to child’s share by way of advancement? [732.302] |
|  |  |  | Was the failure to provide for the after born or adopted child in the testator’s Will intentional? [732.302(1)] |
|  |  |  | Did the Will devise all or substantially all of the estate to the omitted child’s surviving parent who is entitled to take under the Will? [732.302(2)]? |
|  |  |  | Was the Petition served upon or waived by all beneficiaries? [5.041] |
|  |  |  | Does the Order correctly assign the proper share to the pretermitted child? [732.302, 732.103] |
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| Comments: |
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