Checklist for:

Petition to Determine Amount of Elective Share & Contribution

Fla. Stat. §732.2035, §732.2045, §732.2055, §732.2065, §732.2075, §732.2085, §732.2095, §732.2145,

Fla. Probate Rule 5.360 (d) (1) – (6)

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

| Docket# | Item# | Date |  |
| --- | --- | --- | --- |
|  |  |  | Petition filed and formally served by Personal Representative within 60 days after entry of Order Determining Entitlement? [5.360(d)(1) & 5.360(d)(2)] |
|  |  |  | Petition filed by surviving spouse or attorney-in-fact or guardian of spouse within 90 days from entry of Order of Entitlement? [5.360(d)(3)] |
|  |  |  | Does Petition include name & address of each direct recipient? [5.360(d)(1)(A)] |
|  |  |  | Does Petition describe proposed distribution of assets to satisfy elective share, time & manner of distribution and if specified contribution is necessary, identify direct recipients and amount sought from each? [5.360(d)(1)(B) and (C)] |
|  |  |  | Was the Inventory of Elective Estate filed & formally served within 60 days after entry of the Order Determining Entitlement? [5.360(d)(2)] |
|  |  |  | Any Objections timely filed? If so, notice and hearing required. If not, Order may be entered. [5.360(d)(5)] |
|  |  |  | Does the Order set forth the amount of elective share? [5.360(d)(6)] |
|  |  |  | Does the Order identify assets to be distributed to surviving spouse in satisfaction? [5.360(d)(6)] |
|  |  |  | Does the Order specify the amount of contribution from direct recipients if contribution is necessary? [5.360(d)(6)] |
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| Comments: |
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