

### Petition for Family Allowance

Estate of	
Case No:	
Date:	

**732.403** Family Allowance; **5.407** Companion Rule

	Decedent domiciled in Florida [732.403]
	Names & addrs of spouse or lineal heirs (= lineal ascendants & lineal descendants) who decedent <i>was supporting or was obligated to support</i> , incl dob for minors [732.403, 5.407(b)(1)]
	Name & relationship of each person for whom an allowance is sought, amt of allowance, & basis for allowance [5.407(b)(2)]
	Periodic payments or lump sum totaling \$18,000 (if DOD > 1/2/02) [732.403]
	3 months have passed after publication [733.2121(1), 5.241]
	Statement Regarding Creditors filed [5.241(d)]
	Notice to beneficiaries [5.041]
	Notice to creditors [5.041] OR
	There are sufficient assets to pay claims with preference over family allowance. Family allowance is a class 5 expense--admin expenses, funeral expenses, federal taxes, & medical expenses have preference. [733.707(1)]
	Will does/ does not provide that allowance to spouse or heir is chargeable against their share or benefit [733.403]
	Verified petition [5.407(b)]
	Order ids the persons entitled to the allowance, amt for each, & the method of paymt [5.407(c)]

	Creditors

<b>Comments:</b>	
<b>Recommendation:</b>	