

PETITION TO DETERMINE PRETERMITTED CHILD

Estate of: _____

Case Number: _____

Date: _____

Attorney: _____

Legal Requirements: **§732.302 Florida Statutes** - Pretermitted child shall receive a share equal to that he would have received through intestate succession

CHECKLIST

- _____ Child omitted from the will
- _____ Appears from the will that the omission was **not** intentional
- _____ Child born or adopted after the date the will was executed
- _____ Child has not received property equal to his share through advancement

If testator had one or more children when will executed:

- _____ Testator did **not** devise all or substantially all of estate to other parent of pretermitted child
- _____ Notice to all benes [5.041(a)]
- _____ Order correctly assigns proper share to pretermitted child

COMMENTS: _____

RECOMMENDATION: _____

(Updated: July 2007)