

## **TEXAS DISTRIBUTION WITH NO WILL (INTESTATE)**

### **SINGLE**

No spouse, no kids, no siblings = everything split between surviving parents

No spouse, no kids, no siblings, 1 parent = everything to surviving parent

No spouse, no kids, 1 parent + siblings = half to surviving parent, half to siblings (siblings to divide in equal shares)

No spouse, no kids, no parents = everything split between siblings or their descendants (if sibling has died and has children, those children will inherit their deceased parent's portion)

No spouse, no kids, no parents, no siblings = half to relatives on one parent's side, half to relatives on other parent's side (if one side is gone entire estate to side that remains)

No spouse, no kids, no parents, no siblings, no family *anywhere* = State of Texas

No spouse, *has* children = everything to children (if a child predeceases his/her parent and had children of their own, that grandchild would be entitled to their deceased parent's portion)

### **MARRIED**

#### **Community Property (Property acquired during the marriage)**

Surviving spouse, no kids = surviving spouse receives all deceased spouse's community property

Surviving spouse + kids (if children are shared by surviving spouse) = all to surviving spouse

Surviving spouse + kids (not shared by surviving spouse) = surviving spouse retains his/her one half interest while deceased spouse's one half interest passes to his/her children (if a child predeceases his/her parent and had children of their own, that grandchild would be entitled to their deceased parent's portion)

#### **Separate Property (Property owned before marriage)**

Surviving spouse, no kids = half to surviving spouse, half to parents (divided into equal shares between parents)

Surviving spouse, no kids, 1 parent = half to surviving spouse, half to be divided between surviving parent and siblings in equal shares (or their descendants)

Surviving spouse, no kids, no parents = half to surviving spouse, half to siblings (or their descendants)

Surviving spouse, no kids, no parents, no siblings = all to surviving spouse

Surviving spouse + kids = 1/3 of separate property and life estate (right to occupy property until his/her death) with remainder to children of deceased spouse (in equal shares)