

PIE CHART ON WHAT HAPPENS TO YOUR ASSETS WHEN YOU DON'T HAVE A WILL

When you do not have a valid will or your will is not probated, the state law determines how your assets (both real estate and personal property) pass (other than beneficiary designations and assets that pass through trust).

If you are married, factors include whether your property is community or separate, whether the deceased spouse had children from a different relationship and whether the property is real estate or personal property.

The pie charts below may surprise you. Of course, this can be avoided if you simply have a will or trust so that your assets can pass the way you want.

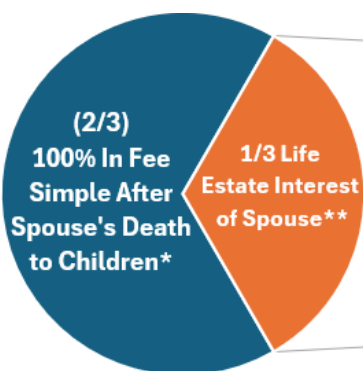
Married Person with Children That Are All from Current Marriage

Real Estate

Community Property



Separate Property

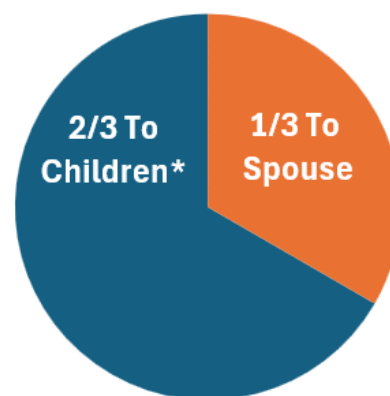


Personal Property

Community Property



Separate Property



**Note:* If child predeceases, child's interest passes to his or her descendants (i.e. children).

***Note:* Life Estate is the right to use, live and enjoy property, but cannot sell without the consent of the children.

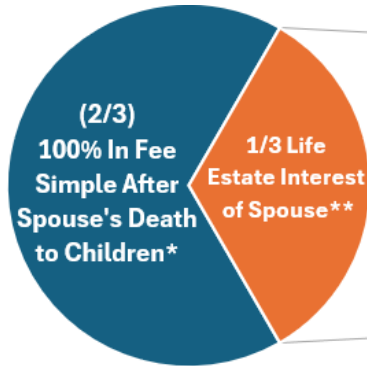
Married Person with Children Outside of Current Marriage

Real Estate

Community Property



Separate Property

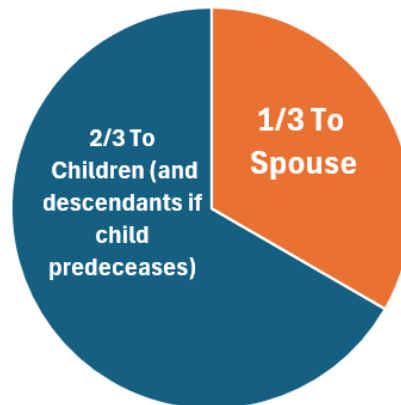


Personal Property

Community Property



Separate Property



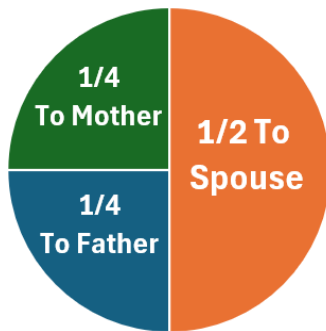
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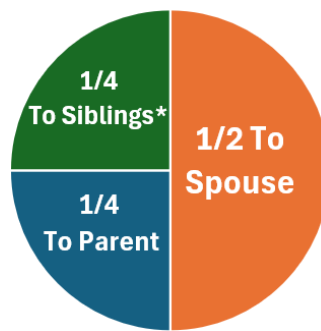
Married Person with No Children

Separate Property Real Estate

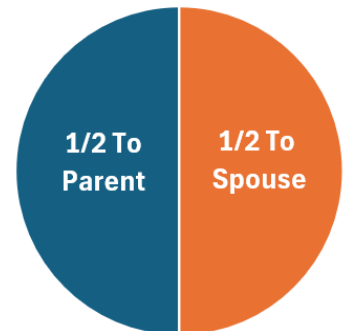
Survived by Both Parents



Survived by Parent & Sibling



Survived by One Parent & No Siblings



Survived by Siblings Only



No Surviving Children, Parents or Siblings



Community Property

Real Estate



Separate Personal Property

No Surviving Children, Parents or Siblings



**Note:* If one dies, then his or her share passes to their descendants.

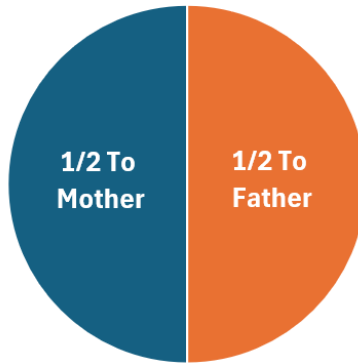
Single or Widowed Person

Real & Personal Property

Survived by Children



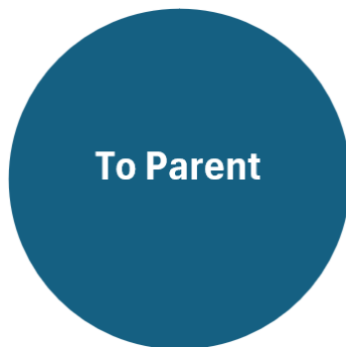
No Children Survived
by Parents



Survived by One Parent
& Siblings



No Children, Siblings or
Descendants Survived by
One Parent



No Children or Parents
Only Siblings



No Surviving Children
Parents or Siblings



**Note:* If child predeceases, child's interest passes to his or her descendants (i.e. children).

***Note:* If one dies, then his or her share passes to their descendants.

Of course, it is better that you decide how you want your assets to pass instead of the state.

If interested in learning more about this article or other estate planning, Medicaid and public benefits planning, probate, etc., attend one of our free upcoming Estate Planning Essentials workshops by clicking [here](#) or calling 214-720-0102. We make it simple to attend and it is without obligation.