

## **WHAT IF I DIE WITHOUT A WILL?**

### **Your individual property passes under Maryland Intestacy as follows:**

#### **Married person with a child, children or other descendants over 18 years old.**

- ☞ Surviving spouse gets first \$40,000 and one-half of the remainder.
- ☞ Child gets the other one-half, if there is more than one child, the children all equally share the one-half. (Grandchildren take their deceased parent's share).

#### **Married person with a child or children under 18 years old.**

- ☞ Surviving spouse gets one-half.
- ☞ Child gets the other one-half; if there is more than one child, the children all equally share the one-half. (Grandchildren take their deceased parent's share).

#### **Unmarried person with a child, children or other descendants.**

- ☞ All to child; if there is more than one child, the children all equally share the one-half. (Grandchildren take their deceased parent's share).

#### **Married person without child, children or other descendants.**

- ☞ Surviving spouse gets first \$40,000.
- ☞ If decedent has surviving parents, one-half of remainder to surviving spouse and one-half to surviving parents.
- ☞ If decedent does not have surviving parents, all to the surviving spouse.
- ☞ If decedent and surviving spouse married 5 years or more, all to the surviving spouse.

#### **Unmarried person without child, children or other descendants.**

- ☞ If decedent has surviving parents, all to surviving parents.
- ☞ If no surviving parents, all to brothers and sisters. (Descendants of a deceased brother or sister take their deceased parents share.)
- ☞ If no surviving parents, and no brothers and sisters, then all equally to collateral relatives within an equal degree of relationship (e.g. aunts, uncles, nieces & nephews).
- ☞ If there are no persons entitled to take as mentioned above, the estate passes to the Board of Education in the County where letters of administration were granted.



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