**Intestate Succession**

If Decedent dies with:

**Spouse Children Parents G’Parents**

1 1 1 or 2 N/A 🡪 50% Spouse/50% Child (per stirpes)

1 2 or more 1 or 2 N/A 🡪 33% Spouse/67% Children (per stirpes)

1 0 1 or 2 N/A 🡪 50% Spouse/50% Parent(s)

1 0 0 N/A 🡪 100% Spouse

0 1 or more N/A N/A 🡪 100% Children (per stirpes)

0 0 1 or 2 N/A 🡪 100% Parent(s)

0 0 0 N/A 🡪 Lineal Descendants of Parents\*

**[If no Lineal Descendants of Parents]**

0 0 0 1-2 🡪 100% Grandparents

0 0 0 0 🡪 Lineal Descendants of G’parents (per stirpes)

\*=Brothers and Sisters and lineal Descendants of Brothers and Sisters (per stirpes)

**Per Stirpes**: By roots or stocks; by representation. This term derived from the civil law is much used in the law of descendants and distribution and denotes that method of dividing an intestate estate where a class or group of distributees take the share which their deceased would have been entitled to, had he or she lived, taking thus by their right of representing such ancestor, and not as so many individuals. To stand in the shoes of.

**Example**: John (Brother)(1/3 Interest) Bill (Brother) (1/3 Interest) Susie (1/3 Interest)

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 David and Lauren (Children) (1/6 Interest each)

pIf Bill predeceased the devise, his two children would take in his place, splitting John’s 1/3 interest equally.