

# Intestacy Flow Chart

**Was the deceased married or in a Civil Partnership – and has that spouse or civil partner survived by 28 days?**

**YES**

**NO**

Is the estate worth more than £270,000?

**NO**

Are there any children? \*

**YES**

Estate divided equally between children \*

**NO**

Are there any living parents?

**YES**

Estate divided equally between parents

**NO**

Are there any brothers or sisters? \*

**YES**

Estate divided equally between brothers & sisters \*

**NO**

Are there any half-brothers or half-sisters? \*

**YES**

Estate divided equally between half-brothers & half-sisters \*

**NO**

Are there any living grandparents?

**YES**

Estate divided equally between grandparents

**NO**

Are there any aunts or uncles?\*

**YES**

Estate divided equally between aunts and uncles \*

**NO**

**Estate passes to Crown**

**YES**

Do you have children (incl. adopted and/or illegitimate)?

**YES**

Spouse/Civil Partner gets 1<sup>st</sup> £270,000 & personal belongings; and half the rest. Children share the rest

**NO**

Are there any parents?

**YES**

Spouse/Civil Partner gets 1<sup>st</sup> £450,000 & personal belongings; and half the rest. Parents share the rest

**NO**

Are there any brothers sisters nephews or nieces?

**YES**

Spouse/Civil Partner gets 1<sup>st</sup> £450,000 & personal belongings; and half the rest. Brothers sisters nephews or nieces share the rest

**NO**

**Spouse/Civil Partner inherits the whole estate**

**Only the surviving spouse or Civil Partner will inherit**

\* If anyone in this category dies before the deceased but leaves children of their own – then their children inherit the share that their parent would have had;  
 \*\* A life interest is a trust from which only income can be taken