



## Coffin Mew Solicitors – Wills, Trusts & Probate

What happens if you die without leaving a Will?

Below is a flow chart which sets out the rules for estate distribution on Intestacy.

### Is the deceased married or in a civil partnership?

<b>Yes</b> (includes couples who are separated)		<b>No</b> (includes single, widowed, divorced)	
Is their estate worth more than £250,000	<b>No ▶</b> Everything goes to Spouse/Civil partner	Do they have children	<b>Yes ▶</b> Shared equally between their children (or their descendants, if any have died)
<b>Yes ▼</b>		<b>No ▼</b>	
Do they have children? (excluding stepchildren)	<b>Yes ▶</b> Spouse/Civil partner receives:	Are either of their parents still alive?	<b>Yes ▶</b> Shared equally between their parents or all to surviving parent
<b>No ▼</b>	<ul style="list-style-type: none"> <li>Household contents and personal effects</li> <li>First £250,000</li> <li>A life interest in half of the residue.</li> </ul> Rest shared equally between their children (or their descendants, if any have died)	<b>No ▼</b>	
Are either of their parents still alive?	<b>Yes ▶</b> Spouse/Civil partner receives:	Do they have brothers or sisters who have both parents in common with them?	<b>Yes ▶</b> Shared equally between such brothers and sisters (or their descendants, if any have died)
<b>No ▼</b>	<ul style="list-style-type: none"> <li>Household contents and personal effects</li> <li>First £450,000</li> <li>Half of the residue</li> </ul> Rest shared equally between their parents or all to surviving parent	<b>No ▼</b>	
Do they have brothers or sisters who share both parents in common with them?	<b>Yes ▶</b> Spouse/Civil partner receives:	Are any of their grandparents still alive?	<b>Yes ▶</b> Shared equally between their grandparents
<b>No ▼</b>	<ul style="list-style-type: none"> <li>Household contents and personal effects</li> <li>First £450,000</li> <li>Half of the residue</li> </ul> Rest shared equally between their brothers and sisters, or their descendants, if any have died)	<b>No ▼</b>	
		Do they have uncles or aunts who share both parents in common with their mother or father?	<b>Yes ▶</b> Shared equally between such uncles and aunts (or their descendants, if any have died)
		<b>No ▼</b>	
		Do they have uncles or aunts who share one parent only in common with their mother or father?	<b>Yes ▶</b> Shared equally between such uncles and aunts (or their descendants, if any have died)
		<b>No ▼</b>	
<hr/> <b>Everything goes to Spouse/Civil partner</b> <hr/>		<hr/> <b>Everything goes to the Crown/Duchy of Cornwall or Lancaster</b> <hr/>	

#### Notes:

1. 'Children' includes adopted and illegitimate children, but excludes stepchildren.
2. Children receive their inheritance on reaching 18, or earlier marriage or registration of a civil partnership.
3. Descendants share equally the part that a deceased parent would have taken.
4. This flowchart is based on our understanding of the rules of intestacy in England and Wales as at March 2011 (different Laws apply in Scotland).

**For more information on making or reviewing a Will, call Coffin Mew on 023 9236 6005 or email [wills@coffinmew.co.uk](mailto:wills@coffinmew.co.uk) to arrange a no obligation appointment**