



WHAT HAPPENS IF YOU DIE INTESTATE?

If you die without leaving a valid Will then the law decides who gets what – regardless of what you wanted or promised while you were alive – under the Intestacy Rules.

These are **the Intestacy Rules**:-

If you are legally married (or registered civil partners) with no other relatives

If your estate is worth less than £125,000 then your husband or wife gets everything.

If your estate is worth more than £125,000 and you have no other surviving relatives (children, grandchildren, parents) then your husband or wife will still get everything.

If you are legally married (or registered civil partners) and have children

If your estate is worth less than £125,000 then your husband or wife gets everything.

If your estate is worth more than £125,000 then your husband or wife will get £125,000, all personal belongings and a life interest (ie the right to take interest on the remainder, but not the capital itself) in half of everything over this sum. Your children would get half the sum over £125,000 held on trust until they are 18 and would be entitled to the other half on the death of your husband/wife. Should any of your children die before you then their children would be entitled to take their parent's share.

If you are legally married (or civil partners) and have no children but do have parents/brothers/sisters/grandparents/aunts/uncles

If your estate is worth less than £200,000 then your husband or wife gets everything.

If your estate is worth more than £200,000 then your husband or wife will get £200,000 and half of everything over this sum. The remaining half goes to your other relatives in this order of priority – parents; brothers/sisters; half brothers/sisters; grandparents; aunts/uncles; spouses of aunts/uncles

If you are not lawfully married but have had children

Your estate will be shared between your children but it will be held on trust until they are 18.

If you are not lawfully married and have no children but do have parents/brothers/sister/grandparents/aunts/uncles

Your estate goes between to your relatives in this order of priority – parents; brothers/sisters; half brothers/sisters; grandparents; aunts/uncles; spouses of aunts/uncles

If you are not lawfully married and have no other relatives

Your estate will go to the Crown

The Rules on Intestacy DO NOT recognise “common law” partners and “children” includes natural, adopted and illegitimate children but not step-children.

CONTACT AMANDA MAY

at Dickins Hopgood Chidley 01488 683555 or email AMay@dhc-solicitors.co.uk