

Intestate succession laws determine who inherits property of a deceased person that did not leave a will. Several fact patterns and the corresponding Texas statutes are described below for reference purposes to establish heirs at law of a decedent.

Married person with children* and death prior to September 1, 1993:

COMMUNITY PROPERTY

Tex. Probate Code §45



SEPARATE PROPERTY

Tex. Probate Code §98(b)(1)



Married person with children* that are all from current marriage and death after September 1, 1993:

COMMUNITY PROPERTY

Tex. Estates Code §201.003(b)(2)



SEPARATE PROPERTY

Tex. Estates Code §201.002(b)



Married person with children* outside of current marriage and death after September 1, 1993:

COMMUNITY PROPERTY

Tex. Estates Code §201.003(c)



SEPARATE PROPERTY

Tex. Estates Code §201.002(b)



***Note: Descendants of a predeceased person that would otherwise be an heir take their parent's share.**

Married person with no children*:

COMMUNITY PROPERTY

Tex. Estates Code §201.003(b)(1)



SEPARATE PROPERTY

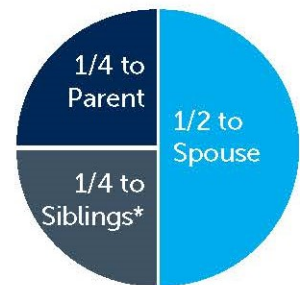
Survived by Both Parents

Tex. Estates Code §201.001(c) & §201.002(c)(2)&(3)



Survived by One Parent/Siblings*

Tex. Estates Code §201.001(d) & §201.002(c)(2)&(3)



SEPARATE PROPERTY – CONTINUED

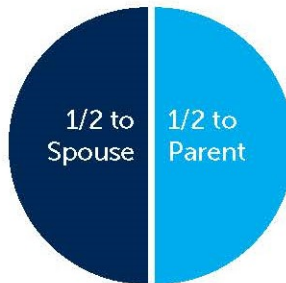
No Surviving Children*, Parents or Siblings*

Tex. Estates Code §201.002(d)



Survived by One Parent/No Siblings*

Tex. Estates Code §201.001(c) & §201.002(c)(2)&(3)



Survived by Siblings* Only

Tex. Estates Code §201.001(e) & §201.002(c)(2)&(3)



A single or widowed person:

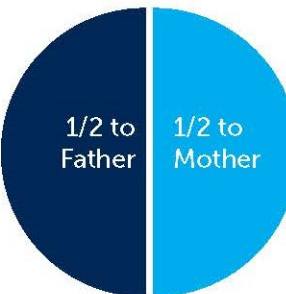
Survived by Children*

Tex. Estates Code §201.001(b)



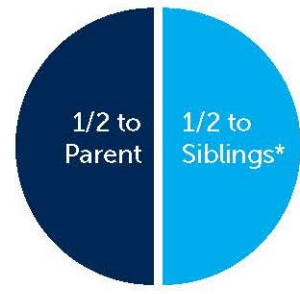
No Children*, Survived by Both Parents

Tex. Estates Code §201.001(c)



No Children*, Survived by One Parent/Siblings*

Tex. Estates Code §201.001(d)(1)



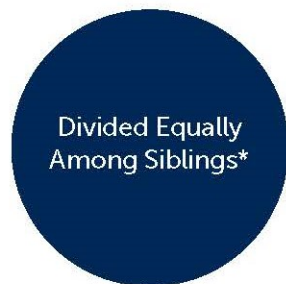
No Children/Siblings*, Survived by One Parent

Tex. Estates Code §201.001(d)(2)



No Children*/Parents, Survived by Siblings* Only

Tex. Estates Code §201.001(e)



No Surviving Children*, Parents or Siblings*

Tex. Estates Code §201.001(f)



*Note: Descendants of a predeceased person that would otherwise be an heir take their parent's share.