



Dying Without a Will - Connecticut

Categories : [Legal and Protective Services](#), [Older Adult Programs](#)

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The following is summarized from the Research Guide: Probate Court User Guide for Administration of Decedent's Estate.

WHAT HAPPENS WHEN A PERSON DIES WITHOUT LEAVING A WILL?

When a resident of Connecticut dies, the probate courts become involved to oversee the division of his/her estate among those legally entitled to it. This division of the estate will be carried out according to the person's wishes if he/she had made them known by executing a will. But if the person (the decedent) left no will, (died intestate) the estate will be divided according to the laws of "intestacy." In addition to overseeing the distribution of the estate, the probate court will ensure that any debts of the decedent, funeral expenses, and taxes are paid prior to distributing the remaining assets of the estate.

HOW DOES THE PROBATE COURT DISTRIBUTE THE PROPERTY WHEN THERE IS NO WILL?

If the decedent is survived by: Estate is divided as follows:

Spouse, and the children* of both decedent and spouse -Spouse takes first \$100,000 plus $\frac{1}{2}$ of the remainder. Children* take the other $\frac{1}{2}$ of the remainder.

Spouse, and children* of decedent, one or more of whom is not the child of the spouse – Spouse takes $\frac{1}{2}$. All the children* share the other $\frac{1}{2}$ equally.

Spouse and parent or parents (no children**) – Spouse takes first \$100,000 plus $\frac{3}{4}$ of the remainder. Parent(s) takes the other $\frac{1}{4}$

Spouse only (no children**, no parents) – Spouse takes all.

Children* only (no spouse) – Children take all*.

Parent(s) (no spouse, no children**) – Parent(s) take all.

Brothers* and sisters* (no spouse, no parents, no children**) – Brothers* and sisters* take all.

Next of kin (no spouse, no children**, no parents, no brothers** or sisters**) – Next of kin takes all.

If there is no next of kin, but there is a step-child*, he or she will be next in line to take. If there is no step-child**, all goes to the State of Connecticut.

* If this person(s) has died before decedent, his or her descendants may take instead.

** or descendants.



For additional information on [Connecticut Law About Probate Law](#), visit the Connecticut Judicial Branch Law Libraries website.

TO FIND PROVIDERS IN CONNECTICUT'S COMMUNITY RESOURCES DATABASE:

Search by service names:

- [Estate Planning Assistance](#)
- [Legal Issues Education/Information](#)
- [Probate Courts](#)

SOURCE: Probate Court User Guide: Administration of Decedents' Estates

PREPARED BY: 211/ch

CONTENT LAST REVIEWED: December2021