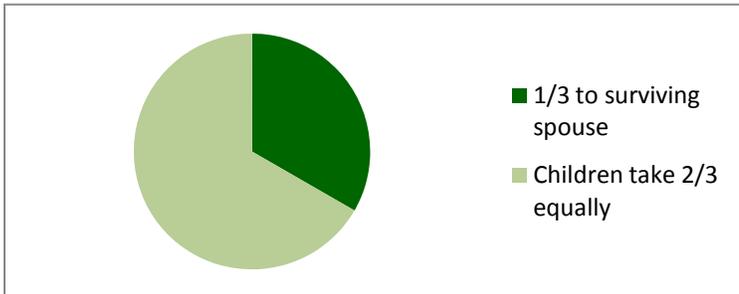


Texas Descent and Distribution¹

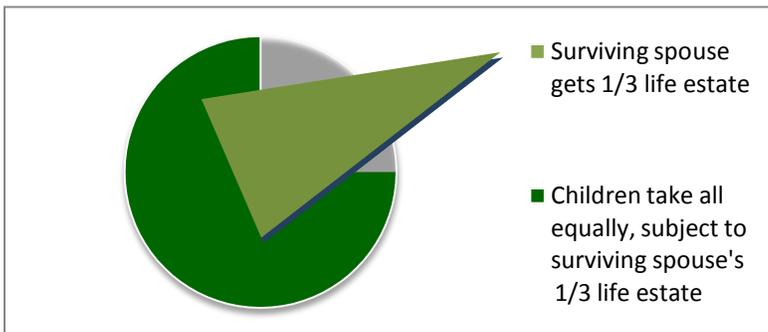
The Legal Effect of Not Having a Will (for decedents dying after September 1, 1993)

1. Married Person with Child[ren] or Other Descendents

A. Decedent's separate personal property (all that is not real property) (TPC § 38(b)(1))

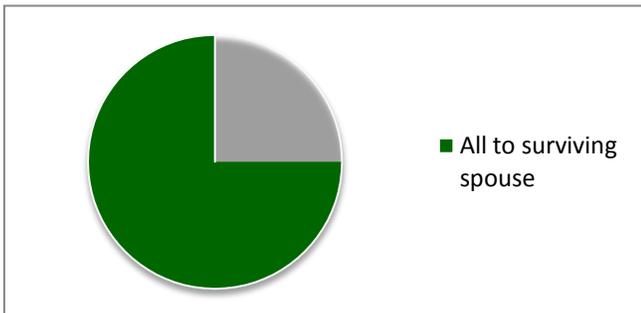


B. Decedent's separate real property (TPC § 38(b)(1))

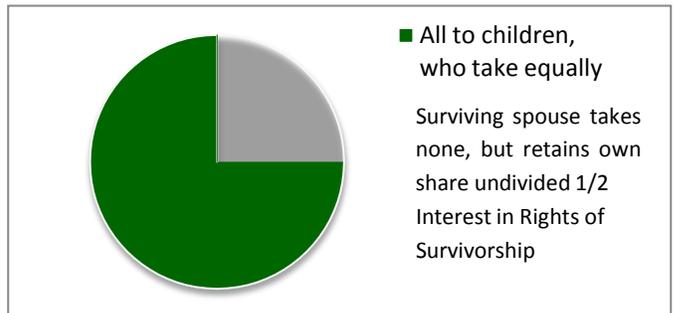


All separate real property will be owned outright by decedent's child[ren] or other descendents when surviving spouse dies.

C. Decedent's Share of Community Property when all surviving children and descendants of deceased are also children or descendants of surviving spouse. (TPC § 45(a)(2))



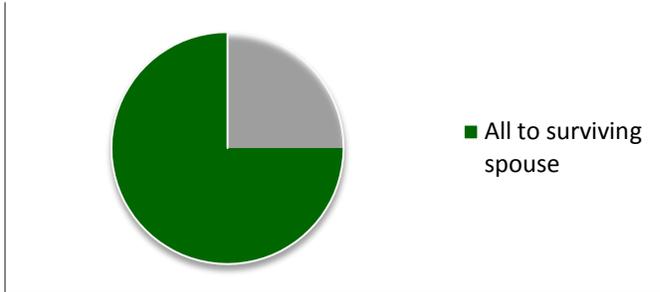
C. Decedent's Share of Community Property when there are children or other descendants from outside of the existing marriage on the date of decedent's death (or if decedent died before September 1, 1993) (TPC § 45(b))



¹The charts in this handout illustrate the general rules of descent and distribution under Texas law. In addition to the statutory references noted throughout, see § 43 of the Texas Probate Code, Determination of Per Capita and Per Stirpes Distribution, as well as the following sections: § 40, Inheritance By and From an Adopted Child; A 41, Matters Affecting and Not Affecting the Right to Inherit; §42, Inheritance Rights of Children; A44, Advancements; and § 47, Requirement of Survival by 120 Hours.

2. Married Person with No Child or Descendant

A. Decedent's separate personal property (all that is not real property) (TPC § 38(b)(1))

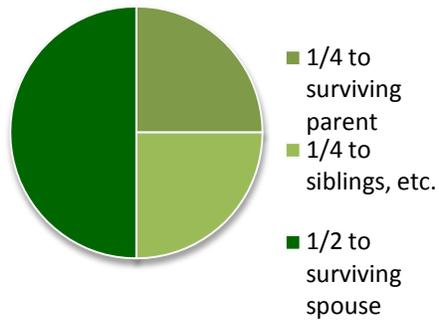


B. Decedent's separate real property (TPC § 38(b)(2))

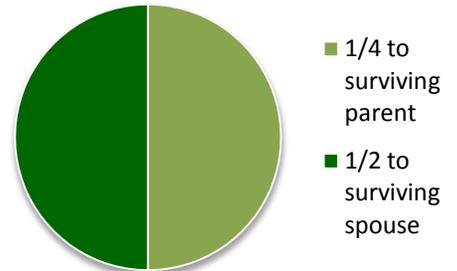
If decedent is survived by both mother and father.
TPC § 38(b)(2) & (a)(2).



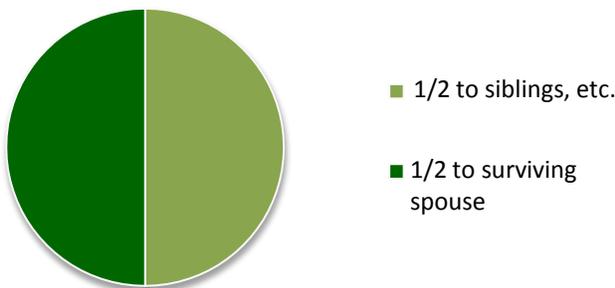
If decedent is survived (1) by mother or father and (2) by sibling(s) or their descendants
TPC § 38(b)(2) & (a)(2).



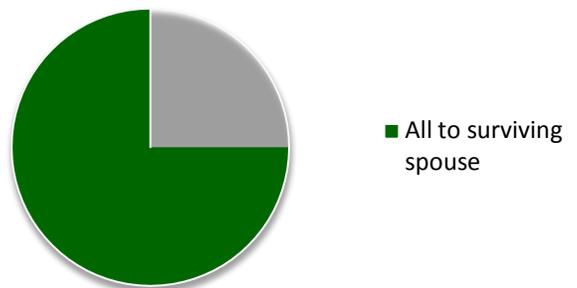
If decedent is survived by mother or father but is not survived by any sibling(s) or their descendants.
TPC § 38(b)(2) & (a)(2).



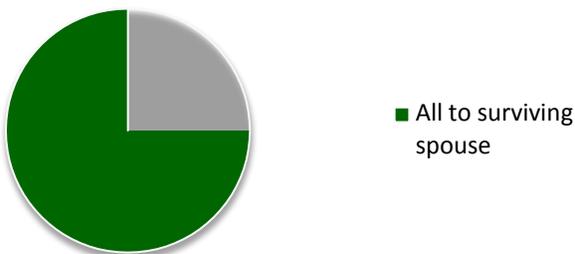
If decedent is survived by neither parent, but is survived by sibling(s) or their descendants. TPC § 38(b)(2) & (a)(3).



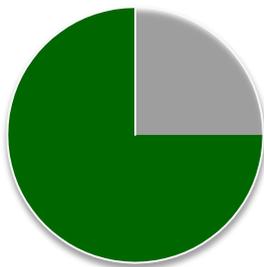
If decedent is survived by no parent, no sibling, and no descendant of a sibling. TPC § 38(b)(2) & (a)(3).



C. Decedent's share of community property (TPC § 45(a)(1))



3. Unmarried Person with Child[ren] or Other Descendants (TPC §38(a)(1))

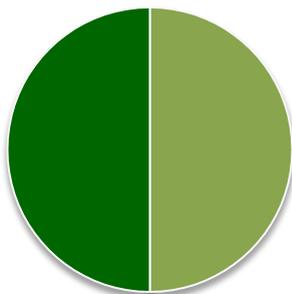


■ All to children, who take equally

4. Unmarried Person with No Child or Descendant

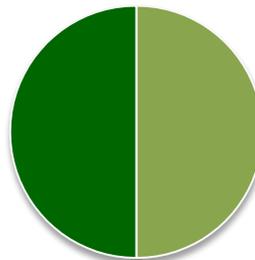
All Property passes depending on who survived the decedent:¹

TPC § 38(a)(2). If decedent is survived by both mother and father.



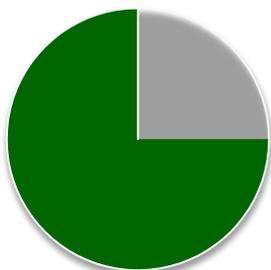
■ 1/2 of all property to father
■ 1/2 of all property to mother

TPC § 38(a)(2). If decedent is survived (1) by mother or father and (2) by sibling(s) or their descendants.



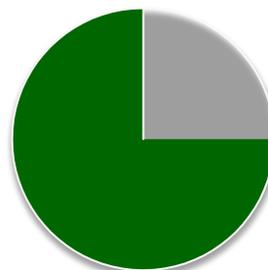
■ 1/2 to siblings or to descendants of deceased siblings
■ 1/2 to surviving parent

TPC § 38(a)(2). If decedent is survived by mother or father, but is not survived by any sibling(s) or their descendants.



■ All to surviving parent

TPC § 38(a)(2). If decedent is survived by neither parent, but is survived by sibling(s) or their descendants.



■ All to siblings or to descendants of deceased siblings

¹ If none of the four situations above applies, see TPC § 38(1)(4).

IMPORTANT: This publication is designed to provide general information about planning ideas and strategies. Always consult with your legal, tax, investment, and insurance advisors about your unique circumstances before changing or implementing any financial, tax, or estate planning strategy.

Pursuant to IRS Regulations, you are informed that any tax advice contained in this communication (including any enclosures or attachments) is not intended or written to be used and cannot be used by any person or entity for the purposes of (i) avoiding tax related penalties imposed by any government tax authority or agency, or (ii) promoting, marketing or recommending to you or another party any transaction or matter addressed herein, and (iii) you are advised to consult with an independent tax advisor your particular tax circumstances.