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Dying Without a Will in Montana *Married-Have Living Child(ren)*

Deceased's Situation:	#1 ↓	#2 ↓	#3 ↓	#4 ↓	#5 ↓	#6 ↓	#7 ↓
Living Children	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Children from a present marriage	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Children from a previous marriage	No	No	No	Yes	Yes	Yes	Yes
Spouse has Children from previous marriage	No	Yes	Yes	Yes	Yes	Yes	Yes
Have you adopted all of your Spouse's Children from a previous marriage?	N/A	No	Yes	Yes	Yes	No	No
Has your Spouse adopted all your Children from a previous marriage?	N/A	N/A	N/A	Yes	No	Yes	No
Property Distribution	Spouse receives All 72-2-112 (1) (b)	Spouse \$150,000 + ½ balance, Children ½ 72-2-112 (3)	Spouse receives All 72-2-112 (1) (b)	Spouse receives All 72-2-112 (1) (b)	Spouse \$100,000 + ½ balance, Children ½ 72-2-112 (4)	Spouse \$150,000 + ½ balance, Children ½ 72-2-112 (3)	Spouse \$100,000 + ½ balance, Children ½ 72-2-112 (4)

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Deceased's Situation:	#8 ↓	#9 ↓	#10 ↓	#11 ↓	#12 ↓	#13 ↓	#14 ↓
Living Children	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Children from a present marriage	No	No	No	No	No	No	No
Children from a previous marriage	No	Yes	Yes	Yes	Yes	Yes	Yes
Spouse has Children from previous marriage	Yes	No	No	Yes	Yes	Yes	Yes
Have you adopted all of your Spouse's Children from a previous marriage?	Yes	N/A	N/A	Yes	Yes	No	No
Has your Spouse adopted all your Children from a previous marriage?	N/A	No	Yes	No	Yes	No	Yes
Property Distribution	Spouse receives All 72-2-112 (1) (b)	Spouse \$100,000 + ½ balance Children ½ 72-2-112 (4)	Spouse receives All 72-2-112 (1) (b)	Spouse \$100,000 + ½ balance Children ½ 72-2-112 (4)	Spouse receives All 72-2-112 (1) (b)	Spouse \$100,000 + ½ balance, Children ½ 72-2-112 (4)	Spouse \$150,000 + ½ balance, Children ½ 72-2-112 (3)

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Dying Without a Will in Montana *Married – Have Living Children*

Deceased's Situation:	#15 ↓	#16 ↓	Mistake ↓	Mistake ↓
Living Children	Yes	Yes	Yes	Yes
Children from a present marriage	Yes	Yes	No	No
Children from a previous marriage	Yes	Yes	No	No
Spouse has Children from previous marriage	No	No	Yes	No
Have you adopted all of your Spouse's Children from a previous marriage?	N/A	N/A	No	N/A
Has your Spouse adopted all your Children from a previous marriage?	No	Yes	N/A	N/A
Property Distribution	Spouse \$100,000 + ½ balance, Children ½ 72-2-112 (4)	Spouse receives All 72-2-112 (1) (b)	Mistake	Mistake