

# 2

## Dying Without a Will in Montana Single – Have Living Children, Have Living Grandchildren

Deceased's situation:	#1 ↓	#2 ↓	#3 ↓	#4 ↓
Living Children	Yes	Yes	Yes	Yes
Living Grandchildren from Living Children	No	No	Yes	Yes
Living Grandchildren from Child who passed away	No	Yes	Yes	No
Property Distribution	Equally living children 72-2-113 (1) (a)	Children and deceased children equally. Deceased child's share pass by representation to that child's children 72-2-113 (1) (a)  Example 2 has one child ( <i>with one child</i> ) who predeceased parents	Children and deceased children equally. Deceased child's share pass by representation to that child's children 72-2-113 (1) (a)  Example 3 has one child ( <i>with two children</i> ) and one child ( <i>with three children</i> ) who predeceased parent	Equally living children 72-2-113 (1) (a)