Think You Know Who Gets Your Property When You Die? Think Again!

When you see a Black Box...denotes the person or person’s are deceased.

1. Single Person
Assume a bachelor died without a will in 2011. One of his sisters died in 2001 and the other in 2005. His survivors were two brothers and nieces and nephews.

What fraction will Brother B receive, if any?

A. All  
B. 1/2  
C. 1/4  
D. None, all goes to Montana because the bachelor brother died without writing a will

2. Married Couple with Solely Owned Property
A husband died with property valued at $800,000 that is titled in his name only. He was survived by his wife and his mother and father.

What amount did his wife receive?

A. $800,000  
B. $750,000  
C. $650,000  
D. $600,000  
E. $400,000  
F. None

3. Beneficiary Deed
Gary has a will leaving his land to his son, Matt. He has a beneficiary deed naming his daughter, Linda, to receive the same parcel of land.

If Gary dies who receives the land?

A. Matt, because he was named in the will  
B. Linda, because she was named as grantee beneficiary in the beneficiary deed  
C. State of Montana because there is a conflict between the will and the beneficiary deed

(Answers to 1 - 3 on back)
4. Married Couple with Children

John and Mary have three children who are married. Their son died 10 years ago and their daughter died 5 years ago. John and Mary died in a car accident.

What fraction will grandchild D receive?

A. None  B. 1/3  C. 1/6  D. 1/7  E. 1/9

5. Married Couple with Joint Tenancy Property

Tim and Sharon have all their property in joint tenancy with right of survivorship. They die in a car accident. Tim dies first. Sharon dies 3 days later. They are survived by their parents.

Who receives Tim and Sharon’s property?

A. Tim’s Parents  B. Sharon’s Parents  C. 1/2 to each set of parents  D. State of Montana because they didn’t write a will

Dying Without a Will in Montana

Who receives your property if you pass away without a written will? Use this website to discover how your property will be distributed under Montana law if you are a Montana resident and if you pass away without a written will (as do 7 out of 10 Americans).

If you find your Internet system is “slow” a CD can be ordered at the website or email khayes@montana.edu.

Estate Planning Publications

www.montana.edu/estateplanning/eppublications.html

- Accessing a Deceased Person’s Financial Accounts
- Annuities
- Beneficiary Deeds in Montana
- Using a Bypass Trust to Provide for Children from Remarried, Step, and Blended Families
- Montana Common Law Marriage & Estate Planning
- Cremation
- Designating Beneficiaries through Contractual Arrangements
- Dying Without a Will in Montana: Who Receives Your Property?
- Estate Planning for Families with Minor and/or Special Needs Children
- Estate Planning: Getting Started
- Estate Planning Tools for Owners of Pets & Companion Animals or Service Animals
- Federal Estate Tax
- Gifting: A Property Transfer Tool of Estate Planning
- Glossary of Estate Planning Terms
- Letter of Last Instructions
- Life Estate: A Useful Estate Planning Tool
- Life Insurance: An Estate Planning Tool
- Long-Term Care Partnership in Montana
- Medicaid and Long-Term Care Costs
- Montana’s End-of-Life Registry
- Montana Rights of Terminally Ill Act
- Montana Uniform Transfers to Minors Act (UTMA): Custodial Accounts for Children Under Age 21
- Nonprobate Transfers
- Personal Representatives
- Power of Attorney
- Probate in Montana
- Property Ownership
- Provider Orders for Life-Sustaining Treatment (POLST)
- Revocable Living Trusts
- Selecting an Organizational Structure for Your Business
- Settling an Estate: What Do I Need to Know
- Transferring Your Farm or Ranch to Next Generation
- Transferring a Montana Vehicle After the Death of an Owner
- Transferring Real Property Owned in a Joint Tenancy or in a Life Estate Without Probate.
- What Are Your Rights Over Your Remains?
- Who Gets Grandma's Yellow Pie Plate? Transferring Nontitled Property
- Wills

Estate Planning: The Basics Packet $10.00

Packet includes 18 guides to estate planning issues to help readers understand and use the information in planning their own estate. By purchasing this packet, your name will be added to an address list to receive updated MontGuides as the law change.