

# TEXAS DESCENT AND DISTRIBUTION

(THE LEGAL EFFECT OF NOT HAVING A WILL)

## A. SEPARATE PROPERTY

REAL ESTATE



## MARRIED PERSON

WITH CHILD[REN]

ALL REALTY IS OWNED BY DECEDENT'S CHILD[REN] WHEN SURVIVING SPOUSE DIES.

ALL OTHER PROPERTY



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## B. COMMUNITY PROPERTY

REAL ESTATE



*ONLY APPLIES IF*

ALL SURVIVING CHILD[REN] AND DESCENDANTS OF DECEDENT ARE ALSO CHILD[REN] OR DESCENDANTS OF SURVIVING SPOUSE.

ALL OTHER PROPERTY



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## B. COMMUNITY PROPERTY

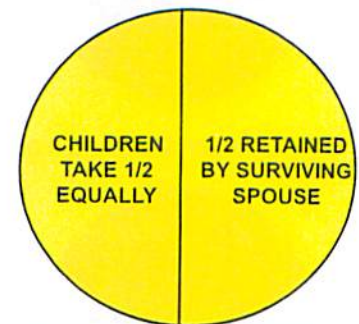
REAL ESTATE



*ONLY APPLIES IF*

THERE ARE CHILDREN FROM OUTSIDE OF THE EXISTING MARRIAGE ON THE DATE OF DEATH OF THE DECEASED. CHILD[REN] OF DECEASED CHILD[REN] TAKE THEIR PARENT'S SHARE SUBJECT TO ADVANCEMENTS.

ALL OTHER PROPERTY



COMPLIMENTS OF

JUDGE EDUARDO A. GAMBOA

EL PASO COUNTY STATUTORY PROBATE COURT NO. 2

**SINGLE OR WIDOWED PERSON**

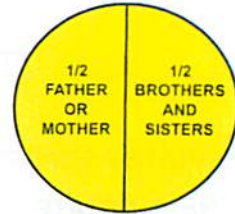
**FATHER AND MOTHER SURVIVING ONLY**



**WITH NO CHILD[REN]**

ENTIRE ESTATE GOES TO PARENT IF NO SIBLINGS OR THEIR DESCENDANTS SURVIVE DECEDENT.

**PARENT AND SIBLINGS SURVIVE**



**REAL ESTATE**



**WIDOW[ER] WITH CHILD[REN]**

ANY CHILD[REN] TAKE THEIR SHARE SUBJECT TO ADVANCEMENTS.

**ALL OTHER PROPERTY**



**A. SEPARATE PROPERTY**

**REAL ESTATE**

**1. PARENTS SURVIVE**



**MARRIED PERSON WITH NO CHILD[REN]**

**4. NO SURVIVING PARENT**



**ALL OTHER PROPERTY**



**2. ONE PARENT SURVIVES**



**5. NO SIBLINGS [DESCENDANTS] OR PARENTS**



**3. NO SIBLINGS OR THEIR DESCENDANTS**



**B. COMMUNITY PROPERTY: ALL REAL AND PERSONAL PROPERTY IS TAKEN BY SURVIVING SPOUSE**

Caveat: See, Texas Probate Code §42, Inheritance Rights of Illegitimate Children; and, §47(a), Heirs Required Survival by 120 Hours.