

Michigan Intestate Succession:

A surviving spouse takes the following portion of an Intestate estate:

- a) All of the estate if there is no surviving parent or descendant of the deceased.
- b) The first \$150,000 plus three-fourths of the balance of the estate (if any) if there is no descendant of the deceased surviving but there is a parent surviving.
- c) The first \$150,000 plus one-half of the balance of the estate (if any) if the deceased is survived by any descendants, and at least one of them is also a descendant of the surviving spouse.
- d) The first \$100,000 plus one-half of the balance of the estate (if any) if the deceased is survived by any descendants, and on one of them is a descendant of the surviving spouse.

The portion of an Intestate estate NOT given to the surviving spouse (or all of the estate if there is no surviving spouse) is distributed as follows:

- a) To the decedent's descendants by "representation."
- b) If there are no descendants, to the decedent's parents.
- c) If there are no descendants or parents surviving, then to descendants of the parents (i.e., siblings and their descendants by "*representation*").
- d) If no one in these first three categories survives, then one-half of the estate is allocated to each of the maternal and paternal grandparents of the deceased, and is distributed to them or their descendants by "*representation*."

A person must survive the decedent by 120 hours in order to take a share of the estate

An adopted person is considered to be part of their adoptive family for purposes of intestacy and is NOT part of their natural family for this purpose. Stepchildren take no share of a stepparent's intestate estate.

"Representation" means that the estate is divided equally among a decedent's surviving children, for example. If one of the children dies before the decedent, and if that child left children surviving them, then the deceased child's share is divided equally among their children.