



## What is Intestacy Law in Indiana?

Indianapolis, Indiana estate planning attorney Barbara Baird has been practicing estate law since 1977. She opened her first solo probate, estate planning law firm in 2000 and has been helping clients put together wills, estate plans, and family members of the deceased and ill-prepared obtain what is rightfully theirs. With an empathetic role in the process, long term planning attorney Baird has seen firsthand how messy the process of probate, intestacy laws, and other legalities can be when someone passes without leaving the proper documentation on how to distribute their assets.

### What is Intestacy Law?

Intestacy law is when someone passes without leaving behind a valid will. His or her property is then passed through what is called intestate succession to the deceased's closest heirs. However, many valuable assets don't go through a will and are not affected by intestate succession laws — such as property you've transferred to a living trust, life insurance proceeds, funds in an IRA, 401(k), or other retirement account, securities held in a transfer-on-death account, or property owned with someone else in joint tenancy or tenancy by the entirety.

These assets will pass to the surviving co-owner or to the beneficiary you named, whether or not you have a will. However, if you have not named beneficiaries on those assets and have not made a will, they pass to your intestate heirs.

### Intestacy Law Hierarchy

Intestacy law simply categorizes who gets what based on their relation to the deceased. Again, with no will in place when someone passes, outside of the aforementioned assets, all assets will be distributed accordingly to spouse, children, parents or other living descendants.

If you have no living relatives your estate is tossed into escheat, meaning the state can distribute it as it pleases in benefit of the state.

Assets are very rarely considered escheat. The laws are designed to pass on assets of the deceased to the closest living relatives. Grandparents, siblings, nieces, nephews, and/or cousins are all notified before assets are distributed to the state.

### Hire a Long Term Planning Lawyer for Peace of Mind

Hire Indianapolis, Indiana, estate planning lawyer Barbara J. Baird to ensure all your final wishes are carried out in the best interests of your living relatives. Attorney Baird is compassionate,

knowledgeable, hardworking, and skilled in the art of estate planning and intestacy law. Let her protect your hard earned assets. Call today for a consultation — **317-426-9334**.