Intestate Succession Flowchart
Inheritance without a will in Florida
Florida Statute sections 732.102 and 732.103

Was the decedent married when they died?

Yes

Did the decedent have children?

Yes

Decedent's property is divided equally among children. If a child is deceased, their descendants receive their share.

No

Are either of the decedent's parents alive?

Yes

Decedent's property is divided equally among living parents.

No

Did the decedent have siblings?

Yes

Decedent's property is divided equally among living siblings. If a sibling is deceased, their descendants receive their share.

No

Did the decedent have children?

Yes

Did either spouse have children outside the marriage?

Yes

One half of estate goes to spouse. Remaining one half of estate split among all of decedent's children. If a child is deceased, their descendants receive their share.

No

Decedent's property goes to spouse.

No

Decedent's property goes to spouse.

Decedent's property is divided in half between the decedent's mother's and father's families in the following manner:

If alive, to grandfather and grandmother equally, or to the survivor of them.

If there is no grandfather or grandmother, to uncles and aunts and descendants of deceased uncles and aunts of the decedent.

If there is either no paternal kindred or no maternal kindred, the estate shall go to the other kindred who survive.

If there is no kindred of either part, the whole of the property shall go to the kindred of the last deceased spouse of the decedent as if the deceased spouse had survived the decedent and then died intestate entitled to the estate.

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