

What Happens If You Die in Florida Without a Will?

By: Matthew Harrod
www.WoodAtter.com

If you die in Florida without a will (the terminology is “dying intestate”), all your assets will be divided among your immediate family (spouse and children).

If you are married without any children, your entire estate will go to your spouse.

If you are married with at least one child, the first \$60,000 of your estate (above and beyond any homestead entitlements) plus 50 percent of the remainder of your estate will go to your spouse. The rest will be divided among your children.

If you have no spouse or children, your assets will pass to your parents. If your parents are no longer living, your estate will go to your siblings.

If you have no family whatsoever, your assets will go to the state.

Anyone who is over the age of 18 and of sound mind can execute a valid will, which must be in writing and signed in front of witnesses who are not named in the will as a beneficiary.

However, to ensure that your wishes are carried out as you intend them, you should consult with a [Florida estate planning attorney](#), who can help you prepare a will as well as advise you about the many estate planning tools available to help you protect your assets and your heirs.