

WHAT HAPPENS IF YOU PASS AWAY WITHOUT A WILL?

When a resident of Louisiana passes away without leaving behind a Last Will and Testament, it's essential to understand that the distribution of their estate doesn't always follow the assumption that everything automatically goes to the surviving spouse. Louisiana's intestacy laws dictate a **specific order** of inheritance, and it's crucial to be aware of how it works. Louisiana offers a unique advantage when it comes to estate planning. Civil Law Notary Publics are authorized to prepare Last Will and Testaments. This means you can access professional assistance from a Notary Public in crafting your will, ensuring it complies with the state's specific requirements.



Who are the heirs?

1st - Children or Estate of Deceased Children: The estate first goes to the deceased person's children or, if a child has passed away, to their descendants (i.e., grandchildren).

2nd - Parents: If there are no children or descendants, the next in line to inherit are the deceased person's parents.

3rd - Siblings or Their Descendants: In the absence of children, descendants, or parents, the estate then passes to the deceased person's siblings. If a sibling has passed away but has children, those children become the heirs.

4th - Spouse: If the deceased person was an only child, had no children or descendants, and both parents are deceased, then and only then does the surviving spouse become the heir to the estate.

If you're a homeowner in Louisiana having a Last Will and Testament becomes critically important. Louisiana operates as a community property state, which means that in a marriage, each spouse typically owns half of the assets acquired during the marriage. This legal framework can have significant implications for the fate of your home and other assets after you pass away.

Here's why having a will is crucial:

1. Ensuring Your Wishes are Honored: Without a will, the fate of your home and other assets may not align with your intentions. Instead, the state's intestacy laws will determine how your estate is distributed, potentially leaving your surviving spouse in a complex situation.

2. Protecting Your Spouse: Your spouse does not automatically inherit your share of the community property, they could end up co-owning the home with children or other family members. This can lead to complications and disputes over the property.

3. Providing Clarity: A well-drafted will provides clear instructions on how you want your assets, including your home, to be distributed. This can help prevent misunderstandings and conflicts among your heirs.

4. Maintaining Family Harmony: Writing a will allows you to make decisions that consider the best interests of your family. It can help avoid disagreements and disputes among family members after your passing.

Navigating these challenging conversations about estate planning and wills can be overwhelming, but you don't have to do it alone. Our dedicated team is here to provide guidance and support, ensuring that your wishes are documented and your loved ones are well taken care of.

Whether you have questions, need advice, or are ready to begin the process, please don't hesitate to reach out to us. We're just a call or email away and are more than happy to discuss your options and address any concerns you may have.

Our services go the extra mile, and we're pleased to offer mobile notary services for your convenience.

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