

### ***Planning Ahead***



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### **Family Matters**

Under the default rules of inheritance, community property will go 100% to a surviving spouse, with nothing to a child. The theory is the child will inherit later when the surviving spouse dies.

But, if the surviving spouse remarries and has more children, your child's inheritance may be reduced by future half-siblings or step-siblings not related to you at all, or even eliminated if the surviving spouse makes a Will leaving everything to the future spouse.

Children will inherit when the default rule for community property doesn't apply. In that case, the nature of the parent-child relationship will determine inheritance rights. An adopted child, no matter the age when adopted, will inherit. A grandchild raised as a child will not inherit if the child's parent (child of the grandparent) is still living. Generally, step-children and foster children will not inherit without specific provision in a Will or Trust. There are fact-specific exceptions that should be reviewed with your estate planning attorney.

The default rules of inheritance may work for an intact family with only biological children that are full-blood siblings. But the default rules may not apply to the families created by divorce, death, remarriage and non-married partners.

Without an estate plan, children you consider family, regardless of divorce or remarriage, and even your biological children when survived by a step-parent, may be left with nothing. Don't leave it to the default rules.

Make a New Year's Resolution to make your Will or Trust and to update the beneficiary designations for life insurance and retirement accounts to be sure your family is provided for as you intend.

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