

**LDIR#206**  
**ART. II**  
**DESCENT**  
**AND**  
**DISTRIBU-**  
**TION**

ARTICLE II  
DESCENT AND DISTRIBUTION

Section 2.01. GENERAL RULES OF DESCENT. The net estate of a person dying intestate shall descend and be distributed as follows:

(1) Share of surviving spouse. The surviving spouse shall receive the following share:

(a) One half of the net estate if the intestate is survived by issue; or

(b) The first five thousand dollars and one-half of the remainder of the net estate, if there is no surviving issue, but the intestate is survived by one or more of his parents, or of his brothers, sisters or their issue; or

(c) All of the net estate, if there is no surviving issue nor parent nor issue of a parent.

(2) Shares of others than surviving spouse. The share of the net estate not distributable to the surviving spouse, or the entire net estate if there is no surviving spouse, shall descend and be distributed as follows:

(a) To the issue of the intestate; if they are all in the same degree of kinship to the intestate, they shall take equally, or if of unequal degree, then those of more remote degrees shall take by representation.

(b) If there is no surviving issue of the intestate, then to the surviving parents, brothers and sisters and the issue of deceased brothers and sisters of the intestate. Each surviving parent of the intestate shall be treated as of the same degree as a brother or sister and