

Scenario Two

Elaine's first husband passed away about 20 years ago. She has been married to Jerry for the last 15 years. Jerry owns a large ranch near Whitefish and has a son and a daughter, Bill and Jackie, who live in Whitefish but don't help run the farm. Jerry was recently diagnosed with cancer and his doctors say the outlook isn't good. Jerry's children have made it known that they don't think Elaine should receive anything, but Elaine's daughters from her previous marriage think their mother should be cared for, as her only income is Social Security. All of Jerry's assets are titled in his name only and he has never made a will.

By Montana law, what will happen to Jerry's property when he passes away?

What are Jerry's options if he wants to change how his property is distributed?

What does your group think Jerry should do?

What other information do you need from Elaine and Jerry to make a recommendation?