

Summary of State Wrongful Death and Intestacy Statutes

State	Wrongful Death Laws	Intestacy Laws	
	Economic Portion of the Presumed Award	Priority Under Intestate Laws	When there are Children of Different Generations (ie. grandchildren)
Connecticut	<p>Damages are distributed to the class of people defined by the will or, if there is no will, in accordance with the intestate laws.</p> <p>See Conn. Gen. Stat. § 45a-448(b) (2002).</p>	<p>1. Spouse and no children or parent -- the whole estate goes to the spouse.</p> <p>2. Spouse and parent (but no children) -- first \$100,000 and 3/4 of the estate goes to the spouse. The remainder is divided equally among the parents.</p> <p>3. Spouse and children -- spouse takes 1/2 the estate. If the children are also the spouse's, the spouse also takes \$100,000. If they are not, spouse only takes 1/2. Whatever remains is divided equally among the children in the same generation.</p> <p>4. Children, no spouse --- shares are divided equally among the children in the same generation.</p> <p>5. No spouse or children – shares are divided equally among the parents.</p> <p>5. No children, parents, or spouse-- shares go to brothers and sisters or descendants. Shares are divided equally if takers are in the same generation. If there are no brothers and sisters, then to the “next of kin in equal degree.”</p> <p>See Conn. Gen. Stat. §§ 45a-437, et. seq. (2002).</p>	<p>The estate is divided into as many shares as there are living members of the nearest generation of children, including deceased children in the same generation who left behind children. Each surviving heir in the nearest generation to the victim receives one share and the share of each deceased person in the same generation is divided among his or her descendants in the same manner.</p> <p>See Conn. Gen. Stat. §§ 45a-437, et. seq. (2002).</p>

This is a general summary. It is only meant to provide information to personal representatives regarding relevant state law in order to guide them in devising plans for distributions that are consistent with state law. It does not include distributions when none of the relatives set forth in these charts is alive. Calculation of the total award is determined by the Fund's regulations. This is not a substitute for state law, and to the extent state law varies with this chart, state law controls. For more information, an attorney familiar with state statutes and case law should be consulted.