

Where Does It All Go? Legacy Planning Without Direct Descendants

Estate planning tends to assume a straight line: parents to children. But that assumption does not fit everyone. For people without children, the question becomes, Who should inherit your assets and how do you want your legacy to be carried forward?

Not Having a Will May Leave Your Estate to State Law

An *estate* is everything you own at the time of death, including physical, financial, and digital property. If you die *intestate*, meaning without a valid will, state law determines who inherits the assets that go through probate. *Probate* is the court-supervised process for settling an estate and distributing those assets.

Depending on your state and family circumstances, the law may redirect assets to a spouse, parents, siblings, or more distant relatives.

Without children, the gap between who inherits under state law and whom you would actually choose can be much wider. Consider an unmarried couple together for decades. No matter how long the relationship, an unmarried partner has no legal right to inherit under most states' intestacy laws. Without a will directing otherwise, the estate passes to parents, siblings, or other relatives by blood or marriage, not to the partner. For someone with children, that same default may land close to their actual wishes. For someone without kids, it may not come close.

If you want more control over your legacy, you will need to take deliberate steps rather than leave the outcome to default intestacy laws.

Intentional Legacy Planning When There Are No Children

Creating a deliberate estate plan is essential for anyone with meaningful assets that they wish to pass on to others. Without clear legal instructions in place, state intestacy laws will dictate exactly how your property is distributed. This effectively leaves the court system in control of your legacy and significantly narrows your available options.

When children are not the intended beneficiaries of a plan, intentional gifting takes on greater importance and urgency to avoid any unwanted surprises. Someone without children who is planning their estate may look to the following alternatives:

- Leaving assets directly to a favorite charity
- Supporting a cause through a donor-advised fund
- Using qualified charitable distributions from an individual retirement account during life as part of their giving strategy
- Providing for important people in their life—nieces, nephews, godchildren, former partners, friends, or a beloved pet
- Creating a legacy around an institution, community organization, charity, alma mater, or cause that has personal meaning to them

Because these legacy choices do not always rely on the obvious or the automatic choices, they can prompt a deeper look at who should inherit from you and help shape how you are remembered. You

may still land on a spouse, parent, or sibling, but knowing that you have other options can make this a meaningful exercise.

Matching Beneficiary Designations to Planning Goals

Certain assets, including retirement accounts, life insurance policies, and payable-on-death bank accounts, among others, do not pass through your will. They go directly to whomever you have named as beneficiary, regardless of what your will says.

Beneficiary designations can be an afterthought for people without kids, but they carry just as much weight as a will when it comes to your overall estate plan.

A retirement account, life insurance policy, or bank account may still list a former spouse, a former partner, or another beneficiary you named years ago. If no valid beneficiary is listed, the asset may instead be paid directly to your estate. This outcome can subject the asset to probate and, if there is no valid will, to state intestacy laws.

This default distribution could be particularly problematic in cases where the individuals who would inherit by law do not reflect or perhaps even support your chosen relationships.

Fortunately, this is a relatively easy issue to resolve. A routine beneficiary review can reveal stale designations, missing information, or defaults that no longer reflect your wishes. This review allows you to clearly decide whom or what you actually want to benefit.

Reviewing beneficiaries can be part of a regular estate plan check-in with an attorney, or it can be incorporated into a newly created plan built specifically for a future without children.

A life without children is not a life without a legacy. To help ensure that your assets go where and to whom you intend, schedule a time to speak with an estate planning attorney. They can assist you in building a plan that reflects the people, organizations, and causes you want to support.