



Common Law Marriage and Estate Planning

March 4, 2015

Resources

- **Montana Common Law Marriage and Estate Planning** (MSU Extension MontGuide)
<http://store.msueextension.org/publications/FamilyFinancialManagement/mt201408HR.pdf>
Explores Montana common law marriages from an estate planning perspective. Topics include: The definition of common law marriage, what establishes a common law marriage, what documentation is necessary for a common law marriage, and what amount the surviving spouse of a common law marriage inherits.
- **Affidavit of Common Law Marriage form** (State Law Library of Montana)
<http://courts.mt.gov/content/library/forms/marriage/affidavit.rtf>
- **Legal Dissolution of Marriage form** (State Law Library of Montana)
http://courts.mt.gov/library/topic/end_marriage.mcp
- **Parenting Plan** (State Law Library of Montana)
http://courts.mt.gov/library/forms/pp_packet/default.mcp
- **Wills** (MSU Extension MontGuide)
<http://store.msueextension.org/publications/FamilyFinancialManagement/MT198906HR.pdf>
Outlines why and how to construct a will, including costs, restrictions, and changes after its completion.
- **Property Ownership** (MSU Extension MontGuide)
<http://store.msueextension.org/publications/FamilyFinancialManagement/MT198907HR.pdf>
Describes the three main forms of property ownership and provides real-life examples of estate settlement for each of them.
- **Designating Beneficiaries Through Contractual Arrangements** (MSU Extension MontGuide)
<http://store.msueextension.org/publications/FamilyFinancialManagement/MT199901HR.pdf>
Learn about transferring your assets through contractual arrangements, such as those commonly found in insurance policies, IRAs, employee benefit plans, payable on death accounts and transfer on death accounts.
- **Dying Without a Will in Montana** (MSU Extension MontGuide)
<http://store.msueextension.org/publications/FamilyFinancialManagement/MT198908HR.pdf>
This publication includes legal terms and detailed examples of possible scenarios for distribution of your property under Montana law should you pass away before writing a will.

- **Beneficiary Deeds in Montana** (MSU Extension MontGuide)
<http://store.msuextension.org/publications/FamilyFinancialManagement/MT200707HR.pdf>
Beneficiary deeds allow owners of real property in Montana to transfer at death without probate their property to one or more beneficiaries.
- **Beneficiary Deed Forms**
www.montana.edu/estateplanning/eppublications.html