

## **Michigan Inherit by representation or per stirpes**

**to my children, by representation  
or  
per stirpes**

**In Michigan, “to my children, by representation” is a way of dividing the \*\*remainder of your estate\*\* among your children and, if any child has already died, passing that child’s share down to \*\*their own kids (your grandchildren)\*\*.**

**Here’s what it means in practice under Michigan’s Estates and Protected Individuals Code (MCL 700.2106):**

### **\*\*How the split works\*\***

- The estate is first divided into equal shares for the \*\*generation nearest to you that has at least one living member\*\*.**
- Each child who is still alive gets one full share.**
- If a child predeceased you but left children of their own, the share that child would have gotten is \*\*combined and then split equally among that child’s surviving children\*\* (your grandchildren).**

### **\*\*Example\*\***

**Say you have 3 children: Alice, Bob, and Carla.**

- If all three are alive, each gets 1/3 of the remainder.**
- If Bob has died but he has 2 children, then Alice gets 1/3, Carla gets 1/3, and Bob’s 1/3 is split between his 2 kids (each gets 1/6).**

***This is the default rule Michigan uses for intestacy when it says descendants take “by representation”.***

### **A few practical notes:**

- “By representation” (also called \*per stirpes\*) keeps the inheritance within each family branch rather than dividing everything equally among all living grandchildren.**
- If a child predeceased you and had \*\*no\*\* children, their share is redistributed among your other children (and their descendants) the same way.**

**It’s a common phrasing to make sure a deceased child’s line doesn’t get cut out. If you want a different outcome (e.g., only living children inherit), you’d need to word the will differently.**