

ELECTIVE SHARE OF A SURVIVING SPOUSE UNDER THE MONTANA PROBATE CODE

prepared by

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If the Decedent and the Spouse Were Married To Each Other		The Elective Share Percentage of the Augmented Estate Is:
More Than (Years)	But Less Than (Years)	
0	1	Supplemental Amount*
1	2	3%
2	3	6%
3	4	9%
4	5	12%
5	6	15%
6	7	18%
7	8	21%
8	9	24%
9	10	27%
10	11	30%
11	12	34%
12	13	38%
13	14	42%
14	15	46%
15	-	50%

* The supplemental amount, in general, is designed to assure that the surviving spouse receives at least \$50,000.