

The Ins and Outs of Joint Tenancy

April 28, 2020

Resources

1. **[Accessing a Deceased Person's Financial Accounts.](#)** (MT200301HR) (2017) [[Order Online](#)]
Describes how heirs of a deceased person can access his/her financial accounts, depending on whether the accounts were owned jointly with other individuals, had payable-on-death or transfer-on-death designations, or had no designated beneficiary.
 - Affidavit for Collection of Personal Property ([PDF Version](#)) Revised March 2020

2. **[Montana Common Law Marriage & Estate Planning](#)** (MT201408HR) (2019) [[Order Online](#)]
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](#) (PDF)

3. **[Transferring Real Property Owned in a Joint Tenancy or in a Life Estate Without Probate](#)** [[Order Online](#)]
(MT201606HR) (2016)
Describes the process when real property is owned as joint tenants or is subject to a life estate, the distribution method is determined by Montana Law.
 - [Affidavit for Termination of Joint Tenancy](#) (Montana Department of Health and Human Services)