

TITLE 8: FAMILY LAW AND PROBATE
DIVISION 2: PROBATE LAW AND PROCEDURE

§ 2919. Advancements.

If a person dies intestate as to all his or her estate, property which the person gave in his or her lifetime to an heir by partida or otherwise is treated as an advancement against the latter's share in the estate only if it can be shown that the property was given pursuant to custom, or declared in a contemporaneous writing by the decedent, or acknowledged in writing by the heir to be an advancement. For this purpose, the property advanced is valued as of the time the heir came into possession or enjoyment of the property or as of the time of death of the decedent, whichever first occurs. If the recipient of the property fails to survive the decedent, the property is not taken into account in computing the intestate share to be received by the recipient's issue, unless custom, or the declaration, or acknowledgment provides otherwise.

Source: PL 3-106, ch. 9, § 19.