

TABLE 1

LEGITIMATE SUCCESSION AND FORCED HEIRS

Legitimate Succession (Articles 565 and following of Civil Code)

IF THE DECEASED LEAVES	QUOTES
Only a spouse in the absence of other heirs (children, ascendants, brothers and sisters):	1/1 to the spouse
A spouse and one child	1/2 to the spouse and 1/2 to the child
A spouse and two or more children	1/3 to the spouse and 2/3 to the children
A spouse and ascendants or brothers and sisters (no children)	2/3 to the spouse and 1/3 to ascendants/brothers and sisters
Only a child (no spouse)	1/1 to the child
Only ascendants	1/2 to the ascendants on the paternal side, 1/2 to the ascendants on the maternal side
Only brothers and sisters	One equal portion each; half-brothers and half-sisters, however, receive half of the portion of full brothers and sisters
Only ascendants and brothers and sisters	See Article 571 of the Civil Code
Other relatives	See Article 571 of the Civil Code
Legally separated spouse	See Article 585 of the Civil Code

Legitimate Portion and Available Portion (Articles 536 and following of Civil Code)

IF THE DECEASED LEAVES	QUOTES
Only a spouse	1/2 to the spouse as legitimate portion and 1/2 the available portion
A spouse and one child	1/3 to the spouse as legitimate portion, 1/3 to the child as legitimate portion and 1/3 the available portion
A spouse and two or more children	1/4 to the spouse as legitimate portion, 2/4 to the children as legitimate portion and 1/4 the available portion
Only a child (no spouse)	1/2 to the child as legitimate portion and 1/2 the available portion
Only two or more children (no spouse)	2/3 to the children as legitimate portion and 1/3 the available portion
Only legitimate ascendants	1/3 to the ascendants as legitimate portion and 2/3 the available portion
A spouse and legitimate ascendants (no children)	1/2 to the spouse as legitimate portion, 1/4 to the ascendants as legitimate portion and 1/4 the available portion
Legally separated spouse	See Article 548 of the Civil Code