

NEXT OF KIN

As determined pursuant to EPTL §§ 2-1.1, 1-2.5, 1-2.10 and 4-1.1

RELATIONSHIP WHEN THEY ARE “NEXT OF KIN”

Spouse

Always

Child

Always, unless parental rights were terminated via adoption.

Grandchild

When the child/parent who the decedent/grandchild have in common is deceased.

Great Grandchild

When the decedent had none of the above surviving at the time of death.

Parent

When the decedent had none of the above surviving at the time of death.

Sibling

When the decedent had none of the above surviving at the time of death. This applies to full and half, but not step, siblings.

Grandparent

When the decedent had none of the above surviving at the time of death.

Other Relatives

If none of the above apply, other relatives may be Next of Kin. Call the Law Department if you need more information.
