



# Quarterly Focus

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## FUN (OR NOT SO FUN) FACTS ABOUT ESTATE PLANNING PART 1: WHY NOT TO PREPARE YOUR OWN WILL

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Fernande Aube had a sense of humor. The French Canadian woman died of cancer in 2007, leaving an unsigned handwritten Last Will ... on a Sudoku puzzle. Apparently her children, 1 son and 2 daughters, didn't appreciate her sense of humor. What happened next? Litigation ensued. Her son claimed that a prior Will, prepared by an attorney and properly signed and notarized (and that, of course, favored him) was the legitimate Will. Her daughters, favored in their mother's "Last Will and Sudoku Puzzle", argued that the unsigned handwritten Will was the legitimate Will. While a lower court ruled in favor of the daughters, an appeals court overruled the lower court, ruling in favor of the son that the prior Will was valid. Published reports indicated that Ms. Aube was worth approximately \$100,000 at her death. No doubt, much of that wealth was depleted by the feuding siblings. Stories like this are not uncommon. This author currently represents a decedent's estate where the decedent prepared his own Will. The Will was, simply, a mess. The estate incurred thousands of dollars in legal fees just to seek to have the Will ruled valid by a court, fees that could have been avoided if the decedent took the time to have a Will professionally prepared. Yes, it can be stressful to face and plan for one's own mortality, but a professionally prepared Will can reduce the chance of mistakes that could result in expensive and time consuming litigation to resolve.

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