

Your McKinney Estate Planning Lawyers Discuss Whitney Houston's Will

Following the untimely death of singer Whitney Houston, her attorneys filed her will with the probate court in Atlanta, Georgia, thus revealing its contents to the public at large. Houston's will named her daughter, Bobbi Kristina, as the sole beneficiary of her estate which is valued at around \$20 million.

The will surprised McKinney estate planning lawyers and many other lawyers. Houston's sole estate planning tool was her will, which contained a testamentary trust. Unlike a living trust, a testamentary trust takes effect upon a person's death. For a well-known recording star with significant assets, a will and testamentary trust may not have been the best estate planning mechanisms for Houston. First, the only way to carry out a deceased person's wishes as expressed in a will is to initiate a probate process through a probate court. This process necessarily opens the will's provisions to the public, much to the delight of the tabloids. Had Houston executed a living trust, or a trust that became operative during her lifetime, in order to transfer her assets to her daughter, her will and/or trust would not have been made public through the probate process. Instead, Houston likely would have been able to avoid the probate process altogether.

As your McKinney estate planning lawyers can attest, probate tends to be a lengthy, expensive process that often results in family disputes over the will provisions. Houston's will was signed in 1993, several months after her marriage to Bobby Brown. As a result, the will names Brown as the preferred guardian of Bobbi Kristina in the event of Houston's death, and names several family members, including Brown, as the beneficiaries of her estate in the event that Houston had no living children at the time of her death. Since Houston and Brown divorced in 2007, it is questionable whether Houston intended to include Brown in her will to such a large degree following her divorce, especially in light of her unexpected death.

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Houston's case emphasizes the need for adults of all ages to engage in careful estate planning to ensure that their wishes are carried out following death and that their assets are protected to the greatest degree possible. Proper estate planning can protect your estate from public view and remove your estate from the probate process. As death can occur unexpectedly, it is essential to contact your McKinney estate planning lawyers for assistance in evaluating your situation and recommending the proper course of action.