



## **Estate Planning Matters: Lessons from the Unexpected Death of Prince**

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May 4, 2016

The recent unexpected death of Prince and no current evidence of estate planning offers all of us some critical lessons. Prince Rogers Nelson died unexpectedly and much too young at the age of 57 on April 21st leaving family, friends, and fans grieving his loss. Family members indicate they have no knowledge of a will and had no reason to believe Prince created any type of estate planning documents. Without a known will, trust, or other estate plans in place, Prince's wishes for his lifetime of accumulated fortune and possessions will remain a mystery. The future of Prince's estate is likely to involve financially and emotionally costly public and private challenges for many years to come. While we can't change the realities facing Prince's estate and his family, we can make sure our own affairs are in order for the "what if's" life can offer. If you've been waiting for an opportunity to bring up what can be a sensitive topic with family members and jumpstart your planning-- this is it.

**Lesson #1.** Take action now. Adults of all ages should have estate plans in place before an unexpected death or change in decision making capacity. Face your own mortality and stop procrastinating. Dying without up-to-date estate planning documents in place is much too common in our society. The list of reasons to avoid estate planning conversations and planning probably sound familiar . . . it might cost too much, I don't know of a good attorney, I'm too young, I don't have enough money to matter, it will raise complicated and difficult family conflicts, or I don't want to think about death and dying.



**Lesson #2.** Everyone has some type of assets that can benefit from estate planning, whether a multi-million dollars or \$20,000 and a house full of stuff. Planning can help make sure that what happens with your money, personal property (home, car, boat), personal possessions (family heirlooms, jewelry, collections), digital assets, and health care reflects your wishes.

**Lesson #3.** Learn what estate planning involves. Think of it as planning in advance in the event you don't have the capacity to make decisions about your finances, personal property, or health care due to an accident, injury, or dementia; and ultimately when you die. Estate planning involves completing a range of legal documents to indicate how you want your assets preserved or distributed, and who you want to carry out your wishes. These documents can include a will, trusts, powers of attorney for finances, beneficiary forms, funeral plans, and a health care directive. When planning, remember to make decisions about both titled financial assets and personal possessions (jewelry, fishing gear, family heirlooms). It is often the emotionally laden personal possessions that are a source of family conflicts about what "fair" means, rather than the money. While some documents can be completed on your own (e.g. health care directive), an estate planning attorney familiar with the laws in your state can offer essential legal advice, have you consider options you may not have thought of given your family situation, and help to ensure your documents are valid and accomplish what you expect them to do.

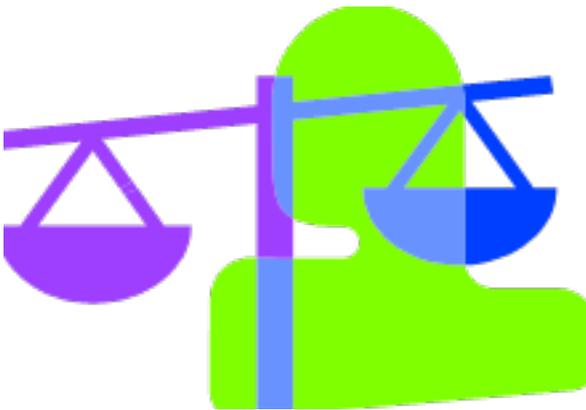


**Lesson #4.** Make it as easy as possible for those you care about at a time of grief and loss. Even if you don't want to share the specifics, make sure your family members know what general estate plans are in place, who to contact, or how to access the documents. A will or health care directive doesn't do any good if it is locked away without telling anyone. Being as transparent as possible about your wishes and intentions with family members can help to avoid future misunderstandings and conflicts.

**Lesson #5.** Don't just assume that those you care about have up-to-date estate plans in place. Even the most organized and typically in control family members may not be prepared, no matter what age they are or how many assets they might have. Use recent events as an excuse to ask aging parents and in-laws, siblings, and most definitely your spouse or partner and adult children and step-children, "If you were to unexpectedly die, what estate plans do you have in place or who knows about them?"



**Lesson #6.** Understand the implications of dying without a will (called “intestate”). If you die without a will, the state where you live will determine who gets your assets according to the state inheritance laws. State inheritance laws may or may not reflect what you want to have happen to your assets, who you prefer to be your heirs, and will influence how public the process will be. Our families and inheritance research has found that most adults are simply unaware of what happens if they die without a will. In Prince’s case, Minnesota law indicates that his full and half-siblings should be equal heirs, given that he had no surviving spouse, children, or parents. Do you know who your heirs would be? Who you consider “family” may differ from legal definitions used in state inheritance laws. Today’s families include more never married, childless, divorced, and remarried, making it critically important to understand state laws and keep estate plans up-to-date as changes in families occur.



Make estate planning and communicating with family members a priority to protect and preserve your hard earned assets. Estate planning can help to maintain control, privacy, and protect your family members from having to “work it out” without knowing your wishes. The financial and emotional costs of doing nothing are simply too great.

**Many resources are available to help families, including:**

- A Probate and Planning Guide from the Minnesota Attorney General’s Office
- Planning Ahead: Who will make decisions for you? An overview of decisions from the Minnesota Board on Aging
- A video series from the Minnesota State Bar Association answers common estate planning
- Resources for low-income individuals and families are available in English, Spanish, Hmong, Somali and French
- Extension offers a user-friendly Minnesota health care directive toolkit with instructions and forms in English and in Spanish
- The “Who Gets Grandma’s Yellow Pie Plate?”™ workbook from Extension helps to navigate the successful transfer of personal possessions
- Tips for Talking and a Top Ten List for Decision Making about inheritance and personal possessions from Extension

**NOTE:** Stum’s research and extension education focuses on helping family members tackle critical issues that they normally do not want to address — or even acknowledge —including inheritance, end-of-life health care, and long term care. She is the author of the nationally recognized Who Gets Grandma’s Yellow Pie Plate?™ and the Minnesota Health Care Directive Planning Toolkit available from the University of Minnesota Extension. For more information visit <http://www.cehd.umn.edu/fsos/people/faculty/StumM.asp>