



Intestacy, Chaos and Confusion

Whilst we go through the hustle and bustle of life, there are many things we are guilty of ‘putting off’. We’ve all been there, the weeds in the garden are growing, and we say to ourselves, “I’ll cut them later”, or it’s time for our dentist appointment, and we say, “I’ll book it later,”; why? Because there’s always tomorrow, right? Well, that’s what we tell ourselves, except sometimes there isn’t tomorrow, and that’s the sad case for those who pass away without a legally binding Will.

At present, half of UK adults will die without a Will in place, and those who don’t have legally binding Wills have their estates and loved ones locked in gruelling court cases over inheritance disputes.

We always talk about the benefits of making a Will, which there are many. However, we don’t talk enough about the consequences of not making one.

One of the longest contested cases in UK history is that of the case of William Jennens’ estate. Jennens, a financier who died in 1798, was known as ‘the richest commoner in England’, with a fortune estimated at approximately £2 million. His estate was fought over by family members, and legal proceedings took well over a century (approx. 117 years) without reaching a conclusion. The only reason it ended in 1915 was because the legal costs exhausted all the funds in the Jennens estate.

There are many legal issues that arise due to people dying intestate (without a Will). Here are a few famous examples:

Pablo Picasso – World-Renowned Spanish Artist

Picasso died in 1973 but had no Will due to “superstition” and avoiding the topic of death.

Distributing his estate took six years of unpleasant negotiations between his children and other beneficiaries, from wives to mistresses, legitimate children to illegitimate ones, at a cost of over £21.7 million.

Prince – Music Superstar

Prince Roger Nelson, the renowned musician known as Prince, also died intestate. Prince died in April 2018 at 57, twice divorced with no children.

He was survived by numerous full- and half-siblings. Two of the siblings predeceased Prince, one of whom had a child. These people and others have claimed to the estate that they are the 'rightful heirs'. Therefore, his estate, to this day, is still unsettled, has not been officially valued and has not been distributed.

Barry White – Grammy-winning Soul and Funk Icon

When Barry passed away, he had been separated from his wife for 15 years. However, because he was not legally divorced and died intestate, she became the sole executrix of his multi-million dollar estate.

Two of his children have brought claims against his wife for stopping the regular payments they were receiving from his estate.

Heath Ledger – Australian Actor

The 28-year-old actor, who is best known for his outstanding performance playing the role of Joker in Batman, did, in fact, have a Will when he passed. However, he hadn't updated it, which meant his daughter Matilda, who was born after the Will was written, would not legally inherit from his estate.

Heath's Will left everything to his parents and three sisters; nevertheless, this case has a happy ending as the family decided to gift the entire estate to his daughter.

Bob Marley – Reggae Legend

Despite battling cancer for eight months, Bob Marley did not make a Will. He had both adopted and biological children with several partners when he died in May 1981. His \$30m estate was caught up in bitter negotiations among family members.

Jimi Hendrix – Rock Icon

Although Jimi Hendrix died in 1970 at the age of 27, the battle over his estate went on for more than 30 years for one simple reason: Hendrix did not make a Will.

DMX – Legendary Hip Hop Artist

And most recently, we have chart-topping rapper DMX, who was born Earl Simmons and passed away in April 2021 at age 50. He was survived by 15 children from nine different women.

DMX, who died intestate, left behind a potentially insolvent estate. However, multiple members of his family have petitioned the court seeking to become administrators of his estate. This is because whoever is appointed as

administrator will have control over the rap legend's royalties and licensing opportunities, which are estimated at around \$17.7 million.

With so much money at stake and DMX passing without making a Will, this means that his loved ones will likely be battling it out in court for years to come. And there is a likelihood that DMX's fiancée, Desiree Lindstrom, who was with him for seven years and mother of his 15th child, will not inherit from his estate.

While the above cases are certainly tragic, the lack of estate planning is all too common among famous musicians—Michael Jackson, Kurt Cobain, and Amy Winehouse (just to name a few), all died without a Will. More recently, the legendary “Queen of Soul,” Aretha Franklin, who died in 2018, left behind four different handwritten wills, and more than three years after her death, her four adult sons are still in court over her estate.

Unfortunately, death is no respecter of persons, therefore, without any planning in place, your loved ones are at risk of enduring a costly, possibly conflict-filled, and in all cases, unnecessary legal process resulting in the loss of wealth and assets.

Furthermore, estate planning does not exclusively apply to the rich and famous. Cultural icon Prince died intestate, which meant that he didn't have a say in even the basic decision of who should inherit his estate or be his executor. Even in a much less valuable and complicated estate, those decisions are crucial. Often, what the deceased would have wanted differs greatly from the intestacy rules and/or what happens once the courts take control.

So the takeaway from Jennens' estate and the high-profile celebrities who died intestate (or never updated their Will) is that if you don't leave an up-to-date Will, you might just leave chaos and confusion instead.

Writing a Will is not just about having peace of mind, but it is about saving your loved ones from additional stress whilst they are trying to grieve.

For more information regarding Wills, estate and tax planning, please contact us at online.enquiries@LA-law.com.