

# GOOD PLANS CAN GO WRONG!



**Over the years, John and his wife Eleanor had planned carefully, saved and invested wisely for their retirement.** They made sure their Wills, which left everything to each other, were always up to date. They even had Trusts in their Wills for extra protection. Unfortunately, John developed Alzheimer's Disease. As his condition worsened, Eleanor needed to sell some of their investments. But John was no longer able to conduct business and Eleanor soon learned she couldn't sign for him - only the court could. It was hard enough dealing with John's situation, but now Eleanor also had to deal with the court. She didn't know the court would *stay* involved to "protect" John's share of the proceeds. She had to keep detailed records of everything - the court insisted upon approving all expenses and the sale of their jointly owned assets. When John died several years later, Eleanor found herself back in court again - this time to probate his Will.

**Claire was very lonely after Fred, her husband of 40 years, died.** To fill her time she started taking ballroom dancing lessons. Her instructor, a much younger "gentleman" was very quick to provide her with the companionship she was missing. And Claire, with a new sense of self-esteem, soon fell head

over heels. Fred and Claire's children were shocked when their mother announced she had married her instructor. But the real shock came seven months later when Claire died - and the children learned their mother had placed everything in joint ownership with her new husband. As the new sole owner, he decided to sell everything and leave town. Because their mother had made her new husband joint owner, the children had been completely disinherited. And everything Fred and Claire had built over the years was gone.

**When George and Betty moved to Florida, they gave their home in New York to their daughter Anne, a divorced mother of three.** Anne later remarried and, as a wedding present to her new husband, she changed the title on the house from her name to both their names, as husband and wife. Not long after, Anne suddenly became ill and died. Her husband, now the sole owner, promptly booted the children (all teenagers) out of the house. George and Betty will undoubtedly have many sleepless nights - and regrets - over this situation.





**When Edward and Beth married, they both had children and assets from previous marriages.** They had new Wills prepared, with each leaving their separate assets to their own children. When Edward died ten years later, Beth's attorney advised her that, as a surviving spouse in that state, she was entitled to a percentage of all of Edward's assets - including the 300-acre farm that had been in his family for generations. Although she knew Edward had wanted the farm to go only to his children, she felt that she and her children had a right to part of it. She decided to contest Edward's Will, prompting a bitter and expensive court battle. Eventually Beth won. But the farm had to be sold to pay the expenses. And the closeness the family had developed during Edward's lifetime had been destroyed

**To avoid probate after she died, Edith, an elderly widow, decided to give her home to her daughter Susan.** They had always gotten along very well, and Susan assured her mother she would be able to live in the house for the rest of her life. She even stated so in her Will, just in case anything happened to her first. Unfortunately, Susan did die in a car accident. Not long after, Edith was shocked when she received an eviction notice. As it turned out, Susan had made her husband joint owner of the house with her, and when Susan died he became sole owner. He had never cared about Edith and decided to sell. Susan's Will didn't make any difference, because her share had transferred to her husband immediately upon her death.

