

Trial & Heirs: Famous Fortune Fights! ...And what you can learn from celebrity errors

By Andrew W. Mayoras and Danielle B. Mayoras, published by
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<http://www.trialandheirs.com/>



Reviewed by Jane Siegel

After reading *Trial & Heirs*, I am convinced that I need an estate plan. It's time to get serious about, you know, *death*. Danielle and Andrew Mayoras, Michigan estate-planning attorneys who are married to each other, have written a lighthearted book. But a reader can't miss what they're really talking about: the dreaded D-word. Isn't the whole point of estate planning to plan for your own inevitable death? Luckily, the Mayoras probably agree with Bugs Bunny: "Don't take life too seriously; no one gets out alive."¹

The whole point of estate planning is to control your property from the beyond. Or, if the decedent (legalese for *dead person*) is a bit more altruistic, to lessen the pain of death, taxes, and unnecessary disputes for survivors. And most disputes are avoidable.

In fact, "Avoid a family fight!" a sidebar in every chapter, is one of the more important features of this book. We all know nice people from loving families who, after the death of a parent, suddenly became green-eyed monsters. These sidebars discuss, very briefly, how to slay the monster—or, better yet, avoid the monster's appearance altogether. The authors offer tips, some obvious and others not, for avoiding disputes. In one sidebar, for example, the tip is to avoid fighting because of the legal fees the estate will incur (and this from two lawyers!). The authors give two examples: the Johnson & Johnson legacy, which took 210 lawyers, 22 law firms, and \$24 million in fees (the wife, a former chambermaid, took \$300 million); and the Leona Helmsley estate, which was settled between her grandchildren and her dog (Trouble, the dog, took \$2 million).

Mere mortals like you and me needn't worry about estates of that size, but everyone should be concerned about the emotional costs of family fights. And family fights result from poor estate planning. Where there is uncertainty in a will or estate plan, there will be unrest. Where there are gaps, there will be greed. And where there are mistakes, there will be fights.

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One of the more famous fights was the one over Brooke Astor's \$200 million legacy. Astor, who was 105 when she died in 2007, signed 31 wills in her lifetime, but prosecutors were more concerned with the three codicils she signed after she was diagnosed with Alzheimer's disease. They accused her 85-year-old son, Marshall, and his lawyer of fraud. The pair allegedly convinced an incompetent Brooke to sign a third codicil, diverting the \$60 million she gave to charity to whomever Marshall designated. And that would be his wife, Charlene, who was 20 years younger than Marshall and clearly disliked by Brooke. The trial lasted six months. The jury found Marshall guilty of 14 of 16 counts. He's appealing.

Then there's the ongoing fight over Michael Jackson's estate. While he did the right thing by setting up a trust, his lawyers

did the wrong thing by not funding it. So every time Jackson's executors attempt to do anything with any property—including the lucrative rights to his name, image, and music—the probate court must approve it. And his mother, Katherine Jackson, challenges it. Katherine first tried to get the attorneys fired, then challenged the \$50 million deal with Sony for the last concert-tour rehearsal video.

So make a plan. Even lawyers should hire other lawyers who are estate-planning specialists. We cannot be like Chief Justice Warren Burger, who disposed of his \$1.8 million estate in just 176 typed words (with one misspelled).

If you are an estate-planning lawyer, you shouldn't read this book. Do read, however, the "official disclaimer" on the first page; it's clever. But consider buying the book in bulk as gifts for your clients or as a marketing tool. You'll have to accept the overuse of exclamation points, the overdone design, and the celebrity caricatures that are not all recognizable. But remember that an informed client is a better client, and a client who understands some of your language is one who is easier to talk to. I bet you can get a quantity discount from the publisher. ■

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FOOTNOTE

1. Also attributed to the character Van Wilder in the 2002 movie, *National Lampoon's Van Wilder*.