

How Can I Prevent My Children from Fighting Over My Belongings After I Die?

By Kevin VonTungeln
<http://trustsandstatesblog.com/>

You probably own some items of real or sentimental value (jewelry, antiques, art, heirlooms, furniture, clothing, etc.) that you want a certain child, grandchild, special friend, relative, or organization to have after you die.

Or maybe you just want to provide for some orderly way for your belongings to be divided among your heirs after you're gone. We've all heard stories about the heirs fighting over Grandma's piano or china. The damage is often so deep that sisters don't speak to each other for the rest of their lives!

Here are some suggestions that can help you prevent this from happening in your family.

Make A Special Gifts List: If you have a living trust, you can make a list of these special gifts and whom you want to have them. Date the list, have it notarized (or witnessed; your attorney can tell you which is appropriate in your state) and keep it with your trust document. If you change your mind, just make a new list and have it notarized. To prevent disagreements about your intentions, be very specific. If your list is long, make a separate list for each person. If your estate is sizeable or if a gift is of substantial value, have your attorney review your list to resolve potential tax issues.

If you have a will, your special bequests will be listed on a codicil prepared by your attorney. If you want to make a change, your attorney will need to prepare a new codicil. (There's one often overlooked advantage of having a living trust.)

Ask What They Want: Ask your children and others if there is something of yours they would like to have. There may be an item that has special meaning to someone that you aren't even aware of. Wouldn't it be nice to know that?

Make gifts now, especially if it is something that you no longer need, or if you are concerned there might be a problem later on.

Hold a family "sale" now, while you can provide information and referee. Gather your kids some weekend or holiday and have them take turns selecting items they want. If one item proves popular, let them bid against each other or make trades. Then write up a list for each person. What doesn't "sell" to family members can be sold in an estate sale after you die and the proceeds divided up. (If your family is reluctant to do this, tell them you'll leave instructions for everything to be sold after you die.)

Write a description, especially if it has sentimental value or is a family heirloom. How else will they know this turkey platter belonged to your favorite Aunt Jessie and that one was picked up at a garage sale?! If the item is large enough, label it.

About Kevin Von Tungeln

With more than 17 years' legal experience, Kevin L. Von Tungeln serves Thompson Von Tungeln in the areas of estate planning, probate, trusts, wills, trust administration, conservatorships, guardianships and elder law. He is certified by the State Bar of California Board of Legal Specialists as a Board Certified Specialist in Estate Planning. Get to know more about Kevin's approach to estate planning by viewing his informational videos at: <http://www.youtube.com/user/EstateLawyers>. Kevin can also be found at LinkedIn by going to: (<http://www.linkedin.com/in/kevinvontungeln>)

About Thompson Von Tungeln

Antelope Valley estate planning law firm Thompson Von Tungeln (TVT) offers sophisticated estate planning and administration for the affluent, discriminating client. As Board Certified Specialists in Estate Planning, Trusts and Probate as certified by the State Bar of California Board of Legal Specialization, partners Mark E. Thompson and Kevin L. Von Tungeln are expertly equipped to serve these clients with the creative, effective and custom solutions they demand. For more information, contact TVT at 661-945-5868 or visit their website at EstatePlanningSpecialists.com.