

To: P&G Employees  
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**Re: Avoiding Fights Over Personal Property**

Everyone either has had the experience or knows someone who has. The family feuds over mother's tangible personal property. In seventeen years of practicing law in the estate planning area, I have had few fights over money. I have frequent fights or at least bad feeling over things. Emotions are at their peak when someone dies, especially when there are no clear instructions for handling the disposition of the family heirlooms.

The creation of instructions for your own estate plan and causing your parents to do the same is the best thing you can do to preserve family harmony. Here are some options.

- Give things away during life.
- Create a written "Memorandum of Personal Property".
- Make a video recording of the persons wishes.
- Put stickers on the bottom of heirlooms with the name of the recipient.

What are some DOs and DON'Ts if a family member dies without instructions?

**DO**

- Have a family meeting to discuss the issue.
- Settle on a system to fairly distributed the personal property.
- Respect that the Executor has the legal power and control over the personal property.
- Make a complete list or inventory of the items.

**DON'T**

- Assume your ideas on how the divisions is to occur are the same as others.
- Raid the house in the middle of the night taking what's yours.

**METHODS**

Ultimately, if a method can not be agree upon, Probate Court is the final arbitrator. However, all sides and the estate need a separate lawyer. The process can turn expensive. In most cases, the court will order a sale. The auctioneer will take an additional 25% off the top.

Family auction - each family member, entitled to a share, gets to bid on the items. Your purchases come out of your share of the inheritance. If you bid \$5,000 on the bedroom set, others get \$5,000 of other property or cash to make it even.

Lottery - each person in turn picks items that they desire. The order can be selected by birth order or by random. Whoever picks last in round one, picks first in round two. At the end of the picking, cash can be used to make it even or not.

**THE LESSON** - Don't let items destroy family relationships.