

5 Ways to Keep Your Kids From Fighting Over Your Will

Patrick O'Brien (Executor.org)

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It is your worst nightmare. You've passed away, and now your adult children no longer speak to each other. Circumstances around your death have destroyed the family you spent your life building, and family business conflict has overrun your loved ones and your business. As the CEO and co-founder of [Executor.org](http://www.executor.org) (<http://www.executor.org>), I've seen this all too often.

But this terrible scenario is preventable, if you plan properly.

My Family's Sad Experience

Unfortunately, squabbling among grown kids surrounding the death of a parent happens frequently because their mothers and fathers fail to take the basic steps necessary to minimize the upheaval. I know. I became an expert on this topic at a young age. I watched as both my parents' families became permanently splintered surrounding their parents' deaths. In each case, some siblings never spoke to each other again.

In my family, as in many, one of the children was required to step up and become a primary caregiver late in a parent's life, a difficult "volunteer" job requiring time and sacrifice for that individual and his or her family.

When Family Caregivers Expect More

When you add spouses of these caregivers to the mix and factor in the sacrifices they often make as their husband or wife takes on this additional responsibility, the equation can become quickly combustible. The **hard work the caregiver puts in** (<https://www.nextavenue.org/americas-family-caregivers-need-assistance/>) often skews his or her

family's perspectives on how they should be treated when the estate's assets are divided.

Plus, if the aging parent begins giving the caregiver things that would otherwise be part of the estate at death, this can be viewed as a sign to the other beneficiaries that the parent will favor the caregiver when it's time to settle the estate.

5 Rules to Prevent an Inheritance War

You can stave off an inheritance war after your death by following these five rules while you're alive:

1. Communicate early and often.

Talk to your adult children about **your estate wishes** (<https://www.nextavenue.org/how-talk-your-adult-kids-about-their-inheritance/>), and about any changes to them as you age. There are benefits to starting this process as early as their 20s — even earlier if you have serious health issues.

Having conversations about who'll get what and why can eliminate surprises later and give your children a chance to process your intentions. If you think it's appropriate to give more to the grown child who will likely be caring for you in your later years, make that wish known to all of your children, not just the caregiving child.

If your family is local, this is a good conversation to have after a Sunday night family dinner. Just avoid having the talk during the holidays, if possible.

There's no easy way to broach the topic. It's often best to start by saying that you'd really like to talk about a difficult subject because you believe it's in the best interest of the family.

Of course, you also should document your wishes in your will.

2. Get input from your children.

Ask if any items you own hold special meaning to them. Something as simple as an old baseball mitt may be of much more interest to one of your children than you anticipated. It is better to have the issues surface now while you're still available to explain the rationale for your decisions.

After you get the input, take time to digest the opinions that were shared before making any final decisions, particularly if the items have great differences in economic value or if you think there may be potential disagreement. When you decide how to distribute items of interest, it is generally a good idea to document this in your will.

3. Be fair.

That ring collection of yours may be worth a great deal. If possible, try to get an appraisal for anything that might have significant economic value. Being fair can also mean making sure each of your children receives a collection of items from your estate of similar *monetary* value, not just *sentimental* value.

4. Be detailed about your plans.

Taking the approach that "my children will figure all this out" without your providing **detailed instructions in your will** (<https://www.nextavenue.org/use-this-14-point-checklist-to-review-your-estate-plan/>) might not lead to a harmonious distribution of your assets.

While your children may not be satisfied with the choices you've made, they will be less likely to blame their siblings because they'll know the allocations were what you wanted.

5. Write a **letter to your children** (<https://www.nextavenue.org/focus-passing-down-your-values-not-money/>) to be read when the will is shared.

This letter is not to say who gets what; that should be outlined in your legal documents. This letter is to tell your children you loved them and tried your best to be fair in this process. It can go a long way in reminding

them to move past the fact that they didn't get the piece of furniture they wanted from your estate.

Remind them in this letter that family goes a lot deeper than possessions and that you hope they will remember that fact.

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