

**QUESTION 10 THE ANSWER TO THIS QUESTION SHOULD GO IN BLUEBOOK
IV OR IN EXAMPLIFY ANSWER SCREEN 10**

Joe Smith married Mary Smith in November 2004, after which they resided in Hometown, Michigan. At the time of their marriage, Mary had two minor children from a prior marriage, Jane and Jack, 9 and 12 years old respectively. Joe developed a strong father-child relationship with Jane and Jack. The relationship was so strong that even though Joe never adopted them, Jane and Jack changed their last names to Smith.

In December 2006, Joe, with the assistance of his attorney, executed a valid will that left all of his real property (at the time, valued at \$2 million) to Mary. The remainder of his estate was left to Jane and Jack to share equally.

Mary and Joe separated in 2010 and divorced in 2011. The divorce was not contentious and the two remained friends. In fact, even after the separation and divorce, Joe and Mary continued to celebrate family holidays together, along with Jane, Jack, and their families. Joe even participated in Jack's 2013 wedding ceremony and gave Jack \$20,000 toward the cost of a home as a wedding gift.

In 2012, upon Jane and Jack's recommendation and advice, Joe began fostering a 13-year-old boy named Bobby. Joe grew very fond of Bobby and on many occasions would say, "Bobby, I should try to adopt you and make you an official member of the family." Joe even discussed with his attorney the possibility of adoption and an overview of the adoption process. No further actions were taken with respect to the adoption. In 2015, Joe informed Mary that he had purchased a \$600,000 life insurance policy for the benefit of "his children." In the policy, he designated Jane, Jack and Bobby as sole equal beneficiaries of the proceeds.

Joe died of a sudden heart attack in July 2019 at the age of 49. Joe was survived by Mary, Jack, Jane, Bobby and an estranged brother with whom Joe had no relationship and with whom he had not spoken for almost 32 years. Joe had no surviving parents nor any other living relatives. At the time of Joe's death, his estate was worth approximately \$5 million and his life insurance policy was still effective.

*******THE ANSWER TO THIS QUESTION SHOULD GO IN BLUEBOOK IV*****
OR IN EXAMPLIFY ANSWER SCREEN 10**

Applying Michigan law, fully discuss:

1. The effect of the December 2006 will on the distribution of Joe's estate; and

2. How Joe's estate, as well as the life insurance policy, would be distributed.

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