

QUESTION 8 THE ANSWER TO THIS QUESTION SHOULD GO IN BLUEBOOK
III OR IN SOFTEST ANSWER SCREEN 8

Elaine executed a valid formal typewritten will on June 1, 2000 devising her entire estate to her son Devin. At that time she was the single biological parent of both Devin and his only sister Amy. Amy was 10 years younger than Devin and a minor at the time. Seven years later, Elaine handwrote on the margin of the first page of her will, the following:

"Devin has been so confrontational with his younger sister Amy over the past couple of years that I might have to change this will to include her because he is not going to take care of her like I thought. 7-24-2007."

Subsequently, sometime in 2009, Elaine wrote in her own handwriting the following on a sheet of blank paper:

"I'm very disappointed with Devin. He is now 35 years old and should be more responsible. I do not want him to have any of my estate. Amy is mature enough now to handle any gift by will, and she is to have all that I leave."

Elaine signed this 2009 statement, but did not date it and it was not witnessed. In June 2010, Elaine married Sam and they remained happily so until Elaine's death in 2016. Elaine made no other statements or provisions regarding the distribution of the assets in her estate, which at the time of her death totaled \$500,000 in value. She had continued to enjoy sufficient mental capacity to execute a will, and was survived by no additional heirs.

Applying Michigan law:

1. Fully discuss the effect, if any, of (a) Elaine's 7-24-2007 notation and (b) Elaine's 2009 written statement.
2. Determine who would likely be entitled to any portion of Elaine's estate (without discussing any specific amounts).