

EXTRA CREDIT NO. 2

Bill's wife dies intestate, and Bill asks you to probate her estate. Maria had been previously married and had one son from that union.

Bill and Maria had no children. Maria owned a house prior to her marriage to Bill, which she had transferred to Bill and herself as tenants in common. They lived in the house until her death in 2004.

There are no other assets to probate. You proceed with the probate, which turns out to be fairly simple. Eventually you complete the probate and the property is distributed pursuant to the laws of intestate succession in 2005.

Early this year Maria's son, Charlie, calls you and says that he has discovered a handwritten Will, which leaves all of Maria's assets to him.

What do you advise Charlie?