

The Couch Will

Aretha Franklin's Estate — The Queen of Soul, Four Sons, and the \$80 Million Handwritten Will Found in a Couch

The Document That Changed Everything

Aretha Franklin died on August 16, 2018, at the age of seventy-six. Her family believed she had left no will. Under Michigan intestacy law, her estate — valued at approximately \$80 million — would be divided equally among her four sons: Kecalf, Edward, Clarence, and Ted White Jr. Simple. Clean. No courtroom required.

Then, in May 2019, her niece Sabrina Owens was cleaning the house and found something in the cushions of Aretha Franklin's couch. A spiral notebook. Inside — handwritten, signed with a smiley face in the letter A — a will dated 2014. They also found, in a locked cabinet, a second handwritten will from 2010. Neither document had been prepared by an attorney. Neither had the signatures of attesting witnesses. What had seemed like a clean, equal inheritance became five years of legal war between brothers.

"The Queen of Soul had been advised by her attorneys to create a formal will for years. She declined — too private to share her wishes with anyone who might tell the world. That privacy cost her family five years of courtroom battles and the public airing of every detail she had spent a lifetime protecting."

Two Wills, Four Sons, One War

The 2010 will — found in the locked cabinet — was notarized and more detailed. It specified weekly and monthly allowances for each son and required Kecalf and Edward to obtain a degree before collecting from the estate. The 2014 will — found in the couch cushions — was written in a spiral notebook, signed with a smiley face. It gave her \$1.1 million home to Kecalf and named him executor. It did not include the education requirement.

The central question at trial: was the smiley face a valid signature? Did Aretha intend the document to be her will? Her son Ted White Jr. testified against it. Kecalf and Edward argued it should govern as the most recent expression of her wishes.

The Verdict

On July 11, 2023 — nearly five years after Aretha Franklin died — a Michigan jury deliberated less than one hour and ruled that the 2014 couch will was valid. Kecalf stood outside the courthouse: 'I just wanted my mother's wishes to be adhered to. We just want to exhale right now. It has been a long five years for my family.' As of November 2024 the case was declared over.

**CORE
LESSON:**

A handwritten will found in a couch cushion is not an estate plan. The attorney-prepared, properly witnessed, formally executed will — kept somewhere other than your couch — is the document that protects your family from five years of courtroom battles over what a smiley face means. And the trust that is properly funded is the document that keeps every detail private.

What The Oracle and The Architect Say

Aretha Franklin was advised by her attorneys to create a proper will. She declined. She was private. She did not want to share her wishes with anyone. Her privacy cost her family five years of public litigation. Every detail — the allowances, the education requirements, the home she wanted Kecalf to have — became court record. Available to anyone. The opposite of what she wanted.

The trust — properly funded, properly executed — is private. It does not go through probate. It is not a public record. The couch will tells you exactly what happens when you try to protect your privacy without the tools that actually provide it.

"The 20-Year Question: Are your wishes written down in a document that will actually hold up — or somewhere your family will spend five years trying to prove are valid?"

**THIS
WEEK:**

Write your will. Have it witnessed. Have it notarized. Keep it somewhere other than your couch — and tell at least one person you trust exactly where it is.

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