

[OPINION](#) | [LETTERS](#)

Process of Probate Is Used Often for Planned Estates

Probate gets a bad name based on the relatively few estates that go through ugly and sometimes years-long will contests in probate courts.



A year after the death of Aubrey McClendon, right, creditors are wrangling over his estate. PHOTO: STEVE SISNEY/REUTERS

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4 COMMENTS

The article about Aubrey McClendon's estate says that probate is usually for those who lack the means to plan their estates ("[Oil Tycoon's Probate Fight Enters Year 2](#)," page one, March 3). In fact, probate, which is the legal name given to the process of proving that a decedent's will is in fact her final will, is quite common and is a regular occurrence for estates of various sizes, including significant estates that may have had extensive and appropriate planning. Probate gets a bad name based on the relatively few estates that go through ugly and sometimes years-long will contests in probate courts. But the vast majority of probate proceedings are uncontested and provide assurance to the decedent's family that the will was executed properly by the decedent at a time when she was competent and not unduly influenced by others. Thus, probate does serve a useful function and isn't limited to unplanned estates.

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