

## INSIGHTS + NEWS

## Boston Globe Quotes Maria Remillard in “SJC says spouses are entitled to part of significant other’s estate when they are left out of will”

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The Supreme Judicial Court (SJC) of Massachusetts, the state’s highest court, ruled unanimously for the second wife of a Charlton man who demanded her share of the real estate her husband had willed his four adult children. The court ruling relied on legal principles dating to 1783 that were most recently updated in 1964.

In its article, “SJC says spouses are entitled to part of significant other’s estate when they are left out of will,” the *Boston Globe* quoted Maria Remillard as saying:

The attorney for the four children, Maria L. Remillard, said the SJC has created what could become a legal morass in some households because the law is obscure, even to lawyers.

“It’s a rude awakening for a lot of people,” Remillard said of the law and the SJC’s endorsement of it. “It isn’t until someone passes away that the parties and surviving spouses realize the impact . . . After a second marriage, the second spouse could, in fact, totally disrupt the estate plan.”

Remillard said the SJC decision authorizes Susan Ciani to collect one-third of the value of her husband’s real estate holdings and a similar share in the estate.

If both sides had not agreed to sell the family home, Susan Ciani also would have been allowed to live there for the rest of her life, Remillard said.

At the same time, the SJC said the four children have an equal right to the family home well — meaning that, in theory, all five people could demand to be in the house at the same time, Remillard said.

Continue reading “[SJC says spouses are entitled to part of significant other’s estate when they are left out of will](#)” on the *Boston Globe* website.