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Fallen legends from 2016: What happens with their music estates?



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If you liked R&B, funk and soul, especially as a Chicagoan, there was no way you didn't know [Herb Kent, the Cool Gent](#). The radio personality passed away on Sat., Oct. 22, 2016, at the age of 88. Every radio station from V105 to NPR has celebrated his legacy in being both debonair and a master at schooling listeners on what music should sound like. Unfortunately, he wasn't the only memorable connection to soul across Chicagoland and nationwide who left us this year.

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News of David Bowie's death on January 10 set the year off in a somber way.

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Prince fans had the wind kicked out of them when they found out the news that the Purple One had passed away on April 21. There were plenty of music tributes, including from soul stars [Anthony Hamilton and Fantasia](#) on tour and the 2016 BET Awards.





Prince (Photo credit: Nicolas Genin/Wikimedia Commons)

If you were down with the P-Funk, then keyboardist Bernie Worrell's death on June 24 was a huge deal.

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And even if you turned your nose up at adultery, who didn't love Billy Paul, the creator of "Me and Mrs. Jones"? Paul passed away on April 24.

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Herb Kent kept “[dusties](#)” (a phrase he coined) alive from the 1950s on for those who grew up with them versus those who were made *from* songs with the artists above (and more). But from a legal perspective, here’s how radio stations were able to gain access to playing their music and who could potentially receive royalties from the licensing of their intellectual property assets.

The importance of an inheritance

Several legal issues are usually raised when discussing a celebrity’s estate. The answer often hinges on whether the musicians had a will or not at the time of their death.

Prior to his death, David Bowie created and executed a very detailed will. Through a trust, the singer left half of his [\\$100 million dollar estate](#) to his supermodel wife of 24 years, Iman. Also through a trust, he left 25 percent of his estate and a vacation home to his 15-year-old daughter Alexandria. The other 25 percent of his estate was left to his son Duncan.

Even with a will and trust, other legal implications arise concerning David Bowie’s estate. The trust created for Bowie’s daughter terminates when she turns 25, and she gets full control of her inheritance. The problem with this is it exposes Alexandria’s inheritance to claims from creditors and a future spouse. If the inheritance remained in a trust for Alexandria’s lifetime, then it would be difficult for her future spouse or creditors to claim rights to her millions and real estate property. Iman, on the other hand, has full control of the inheritance she received from her late husband — and the right to pass on a portion of it should she decide to marry again.

Recommended Reading: [“Syndication earnings from entertainment biz: How Tommy Ford’s family can get his”](#)

Deciding on an executor

Another legal question that has to be addressed when a celebrity dies with or without a will is who is going to be appointed the executor of the celebrity’s estate. Inheriting ownership rights of a celebrity estate doesn’t always grant the next of kin rights to manage the estate.

Typically, in a will, the celebrity appoints an executor to manage the estate for the benefit of the next of kin. In the case of past fallen legends Michael Jackson and Elvis Presley, their wills appointed third-party executors to manage [their estates](#) for the benefit of their parent(s) and child(ren).

In many cases, the executor tends to be an attorney or business manager. In his will, Michael Jackson appointed celebrity attorney Mark Roesler of CMG Worldwide as the executor of his estate. The executors of [MJ’s estate](#) have generated over \$600 million dollars in revenue for Michael’s children and mother, who were named as the beneficiaries in his will.

David Bowie’s business manager was appointed the [initial executor](#) of Bowie’s estate.

Not creating a will

Not creating a will

When a celebrity dies without a will like the late singer Prince, then lawyers and judges look to the state's probate laws to determine who is the celebrity's next of kin. A judge will appoint a temporary executor to manage the affairs of the estate. Prince's [temporary executor](#) of his estate is Bremer Trust. However, the executor of Prince's estate could change once a judge declares Prince's sister Tyka Nelson and his five half-siblings as the legal next of kin.

When music icon Whitney Houston passed, she left her \$20 million estate to her only child, Bobbi Kristina. But as with most 22-year-olds, creating a will is rarely on their minds. Then last year, Bobbi Kristina had a tragic death that has recently been linked to her [ex-fiancee Nick Gordon](#). There are now ongoing legal questions about whether her father [Bobby Brown should inherit the fortune his ex-wife left to their daughter](#).

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Sixty-four percent of Americans don't have a will and 27 percent said they don't need one, according to a recent [USA Today study](#). But with countless stories of families (whether famous or everyday people) not being prepared, specifically property owners and those with significant financial status, there's no better time than the present. Speaking with an attorney who understands estate planning, living wills and trusts can help to ease the transition.

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can help to ease the transition.

Have more questions about estate planning or wills? Contact [J. Paye & Associates](#) today.

Shamontiel L. Vaughn contributed to this blog. Find out more about her at [Shamontiel.com](#).

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