



Challenging an Estate Plan by Proving Incapacity: Akin to a Search for Buried Treasure?

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A law suit to invalidate a will or trust can be the intellectual equivalent of excavating tons of rock and dirt in search of loot, then repelling down a dark, empty shaft to discover nothing more than a giant, murky pool of water. The legendary Oak Island Money Pit in Nova Scotia comes to mind. There, treasure seekers over the years dug deeper and deeper through multiple false log floors, only to have each layer fill with water. In spite of many dangerous excavations that spanned more than two centuries, cost millions of dollars and resulted in six fatalities, no buried treasure has ever been found. In fact, modern skeptics have dismissed the Oak Island pit as nothing more than a sinkhole.



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