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WHEN "SISTER" BECOMES THE ESTATE PLAN: WHAT SNL GETS RIGHT ABOUT CARING FOR AGING PARENTS

A recent *Saturday Night Live* sketch called "Sister" has struck a nerve with families across the country. In the parody commercial, John Mulaney plays a son concerned about his aging father who discovers the perfect solution for his care: his sister. She becomes the live-in caregiver responsible for medications, doctor visits, insurance calls, and seemingly everything else that comes with caring for an aging parent.

The premise is funny because, for many families, it is uncomfortably familiar. The sketch has generated a strong reaction from caregivers who recognize the dynamic of one sibling gradually becoming responsible for nearly everything while other family members remain far less involved.

But behind the humor is an important estate-planning issue, and one that we frequently encounter in inheritance litigation.

What happens when "Sister" spends years caring for Mom or Dad, and nobody discusses whether or how she should be compensated for it?

Estate planning is not only about deciding what happens to your property after you die. A comprehensive plan should also address what happens if you are living but can no longer manage your finances, make health care decisions, live independently, or coordinate your own care.

Documents such as powers of attorney for finances and health care can identify who has authority to make important decisions. But the documents themselves are only part of the conversation. Families should also consider more practical questions: Who is realistically available to help? Does that person understand what may be expected of them? Is one child likely to shoulder most of the responsibility? And if significant caregiving is anticipated, how will the financial and personal impact on that family member be addressed?

These questions become particularly important when a parent dies and the family begins dividing the estate.

In our inheritance litigation practice, we regularly encounter disputes involving compensation for care provided by a family member during a loved one's final years. Sometimes, the caregiver believes that years of personal sacrifice, lost income, or around-the-clock assistance should be recognized financially. Other times, a parent has transferred money, made gifts, or changed an estate plan to benefit the child who provided the most care.

Those arrangements can make perfect sense to the parent and the caregiver. But to other family members, particularly those who were not involved in the day-to-day caregiving, they may come as a surprise.

One sibling may view the payments or increased inheritance as fair compensation for years of extraordinary effort. Another may view the same arrangement as favoritism, an improper use of the parent's money, or even evidence of undue influence. In other cases, the caregiver may seek compensation from the estate after the parent's death, only to discover that the remaining beneficiaries understood the caregiving arrangement very differently.

These disagreements can quickly develop into expensive and emotionally charged inheritance litigation. And often, the underlying problem is not necessarily that anyone acted with bad intentions. It is that family members operated under different assumptions, and nobody had the difficult conversations while the parent was still alive.

The "Sister" sketch exaggerates the caregiving imbalance for laughs, but the underlying issue is real. According to research from AARP and the National Alliance for Caregiving, approximately three out of five family caregivers are women. And regardless of which family member assumes the responsibility, caregiving can require enormous commitments of time, energy, and financial resources.

There is nothing inherently wrong with compensating a family member for providing care. Nor is there anything inherently wrong with a parent deciding to leave more of an estate to the child who made substantial personal sacrifices to help them. But these decisions should be made thoughtfully, documented appropriately, and, where possible, communicated clearly to the people who may be affected.

For example, families should consider whether caregiving will be paid or unpaid, whether expenses will be reimbursed, and whether a parent's estate plan should account for one child's disproportionate contributions. If compensation is anticipated, a written agreement established in advance can help clarify expectations and reduce the likelihood of future disputes.

Of course, these are not always comfortable conversations. Talking with aging parents about declining health, finances, caregiving responsibilities, and inheritance can be difficult. But avoiding those discussions rarely makes the underlying issues disappear. Instead, it can

leave grieving family members trying to reconstruct what their loved one intended, sometimes years after the relevant decisions were made.

Planning ahead will not eliminate every challenge associated with aging or prevent every family disagreement. It can, however, significantly reduce the uncertainty, resentment, and misunderstandings that so often fuel inheritance litigation.

A good estate plan should answer more than “Who gets my property when I die?” It should also help answer “Who will help me if I need care while I’m living?” And perhaps just as importantly, “What, if anything, should that person receive in return?”

Ideally, families should answer those questions together, long before a judge is asked to sort them out.

And certainly before the entire plan becomes simply texting “Sister.”

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