

Three Celebrity Deaths Highlight Important Estate Planning Considerations

The Legacy of Film Legend Val Kilmer

Actor Val Kilmer's passing in April 2025 highlights estate planning issues that can affect almost anyone. Although Kilmer was a celebrity, these issues—such as managing multistate real estate, deciding what happens to digital assets, and integrating philanthropy to leave a legacy and help reduce taxes—are concerns that can be particularly relevant to individuals who have an out-of-state summer home or cottage, are unmarried older clients who cannot take advantage of spouse-related legal benefits, or are creative younger clients with digital portfolios.

Kilmer, best known for playing Iceman in *Top Gun*, Doc Holliday in *Tombstone*, Jim Morrison in *The Doors*, and Batman in *Batman Forever*, died with an estimated net worth of \$10 to \$25 million.¹ At the time of his death, he was the divorced father of two adult children. He owned a California home, a New Mexico ranch, and digital assets that included a synthetic recreation of his voice.

Public Life, Private Death

While his two children are expected to inherit most of his estate, his estate plan details have not been made public, as is typical of celebrities and other high-profile individuals who want to protect their privacy and that of their loved ones. It is usually only when beneficiary or creditor conflicts emerge and subsequent court filings are made that estate plan details leak to the public.

Let that be lesson one from Kilmer's estate: he seems to have planned enough to keep his plans for his estate under wraps—a priority for the actor, who spent much of his later days seeking refuge from Hollywood at his New Mexico ranch, preferring a simpler private life.

Estate Taxes

With his net worth potentially exceeding the 2025 federal estate tax exemption of \$13.99 million per individual, Kilmer's estate could face a federal estate tax liability.

California, where Kilmer died, has no state estate tax. New Mexico, where he owned significant real estate, also imposes no state estate tax, eliminating the need for state-level estate tax planning. However, his estate could owe federal estate taxes of up to 40 percent on the value of his assets above the \$13.99 million federal exemption.

As an unmarried individual, Kilmer could not leverage the unlimited marital deduction, which allows people to transfer assets tax-free to their surviving spouse during their life and at their death. Alternative estate tax reduction strategies—such as lifetime gifting, valuation discounts, charitable giving, and trusts such as a grantor retained annuity trust—are available to both married and unmarried individuals and may have been part of Kilmer's estate plan.

Charitable Planning

There is a good chance that philanthropy figures largely in Kilmer's estate plan. He was involved in numerous causes throughout his life, supporting organizations focused on environmental issues, animal rescue, human rights, families of police officers who were killed on 9/11, and

¹ *Val Kilmer's Net Worth in 2025: Top Gun Star's Fortune and Inheritance Plan Revealed*, FM. (Apr. 2, 2025), <https://www.finance-monthly.com/2025/04/val-kilmers-net-worth-in-2025-top-gun-stars-fortune-and-inheritance-plan-revealed>.

more.² If he incorporated charitable giving strategies using vehicles such as charitable remainder trusts, charitable lead trusts, and donor-advised funds in his estate plan, he may have reduced his taxable estate while supporting causes he cared about. While clients with federally taxable estates can often receive tax benefits for this type of planning, advisors can remind clients that philanthropy is not just for the ultrawealthy. Charitable gifts can also be a legacy-enhancing way to give back and express one's values.

Real Estate in Multiple States

Owning real estate in both California and New Mexico means that the Kilmer estate may need to open an ancillary probate proceeding in New Mexico, which was not Kilmer's primary residence, if those properties were not addressed in his estate plan. Ancillary probate is a separate and sometimes secondary probate process required in a state where the deceased person owned real property or certain other assets outside the state of their primary residence. It is most often used to transfer title to out-of-state real property.

Each state has its own laws governing the transfer of real estate, which may differ from the laws of the deceased's home state. Ancillary probate ensures that the out-of-state property is transferred correctly according to the laws of the state where it is located, but it can expose the deceased person's estate to two court systems, complicate the overall process, increase administrative costs, and trigger different tax treatments.

If Kilmer created a revocable living trust, he would have streamlined the administration of his real estate, avoided probate (in both states), and maintained privacy—key considerations for any client with multistate holdings.

Spousal Support

Kilmer married actress Joanne Whalley, whom he met during the filming of the cult classic film *Willow*, in 1988. Their divorce was finalized in 1996, not long after the birth of their son.

A person's past divorce can create a host of issues if things were not properly cleaned up at the time of their death. For example, if the person never changed the beneficiary on their life insurance or retirement accounts, an ex-spouse might still be entitled to that money, even if that was not the deceased person's intention. Also, while there is no public record of Kilmer owing ongoing support to his ex-spouse at his death, unpaid spousal or child support can become debts of the estate, reducing the inheritance that heirs and beneficiaries receive. Property that was supposed to be transferred to the deceased person in the divorce may still be in the ex-spouse's name (either individually or jointly with the deceased person), leading to confusion and possible legal disputes. Advisors should review their clients' divorce decrees with them to confirm that obligations have ended or have been addressed in the estate plan and all assets are titled properly or have beneficiary designations that align with their new life circumstances.

Digital Assets

In Kilmer's last appearance in a major film, *Top Gun: Maverick*, a company called Sonatic helped Kilmer digitally recreate his voice (lost after throat cancer treatment) using AI technology and past recordings.³ This voice recreation has financial value, so what happens to the legal

² Val Kilmer: *Charity Work, Events, and Causes*, Look to the Stars; The World of Celebrity Giving, <https://www.looktothestars.org/celebrity/val-kilmer> (last visited July 30, 2025).

³ Philip Ellis, *Fans of Val Kilmer Can Hear His Voice Again Thanks to Artificial Intelligence*, Cancer + Careers (Apr. 2022), <https://www.cancerandcareers.org/newsfeed/news/posts/2022/4/fans-of-val-kilmer-can-hear-hi>.

rights to it now that Kilmer has passed away? That answer will largely depend on state law. California law extends a person's rights to their name, image, and voice for 70 years after death.⁴ This means that Kilmer's children, who presumably control his estate, have the exclusive right to approve any future use of his likeness, such as a film cameo, commercial appearance, or holographic performance.⁵

Kilmer's digital estate may also include intellectual property such as unpublished writings, scripts, digital art, or other assets stored on devices or in the cloud. Any digital intellectual property stored locally or remotely, including notes, photos, and videos, could be considered a digital asset and should be planned accordingly.

For noncelebrities, the types of digital assets at stake may differ, but the need for planning is just as urgent. We now live in the age of the microcelebrity, where being an influencer is a career goal for more than half of Gen Zers, and digital assets (e.g., videos, photos, online courses, and virtual goods) are core to personal branding, income generation, and legacy.⁶ They may also hold deep sentimental value for people who are not "internet-famous."

If a client has digital photos, videos, online accounts, or cloud storage accounts, creating digital asset inventories, establishing powers of attorney with explicit digital asset access and management authority, and appointing a digital executor or trustee are essential first steps amid a rapidly evolving space that requires creative solutions and ongoing attention to new laws and technologies.

Be Their Huckleberry

Kilmer's legacy reminds us that even the most iconic lives require careful planning to preserve their voice—literally and figuratively—for the next generation.

If your clients come looking for estate planning advice, with our help you can confidently tell them (as Kilmer's Doc Holliday said in *Tombstone*), "I'm your huckleberry."

⁴ Sam Fielding, *Val Kilmer's Legacy: Who Controls His Voice, Image, and Royalties After Death?*, Lawyer Monthly (Apr. 2, 2025), <https://www.lawyer-monthly.com/2025/04/val-kilmer-estate-voice-image-legacy>.

⁵ *Id.*

⁶ Gili Malinsky, *57% of Gen Zers want to be influencers—but "it's constant, Monday through Sunday," says creator*, Makelt (Sept. 14, 2024), <https://www.cnn.com/2024/09/14/more-than-half-of-gen-z-want-to-be-influencers-but-its-constant.html>.