Wanna Be Startin' Somethin': Litigation and the Jackson Estate

Carly Johnson and Evan Nelson

Jul 15, 2026 10 min read

Summary

- Ongoing litigation surrounds Michael Jackson's estate, with allegations of mismanagement.
- Paris Jackson accuses the estate's administrators of self-dealing and lack of transparency.
- Key takeaway: Estate administration must be transparent, loyal, and prudent to avoid conflict

Catherine McQueen/Moment via Getty Images

A high-stakes legal battle has made its way to center stage in Los Angeles surrounding the estate of the King of Pop, Michael Jackson. The allegations raised by Jackson's daughter, Paris Jackson, are bringing renewed attention to the complex duties placed on personal representatives and trustees, particularly in high-value estates and trusts. The Jackson estate offers a critical case study for fiduciaries, beneficiaries, and practitioners regarding fiduciaries' duty of loyalty, the duty to administer trusts or estates, and the prudent investor rule.

Background: The King of Pop's Estate

When Jackson died, over 16 years ago, he had a valid estate plan, which appointed two co-executors (in most jurisdictions, this role is often referred to as a personal representative, so this article uses the terms interchangeably) to manage his assets and business interests: entertainment lawyer John Branca and music executive John McClain. Eventually, estate funds are to be deposited into a trust with Branca and McClain as co-trustees for the benefit of, among others, Jackson's three children, who were minors when he died.

Though Jackson died long ago, his estate remains an open estate administration matter. Mired in controversy and litigation, combined with Jackson's taste for the finer things, Jackson's estate was burdened with hundreds of millions of dollars of debt at Jackson's death. Jeff Gottlieb, *Michael Jackson Trial: Pop Star Was "Tapped Out," Millions in Debt,* L.A. Times (Aug. 12, 2013), https://tinyurl.com/t9ctr2jb. Since Jackson's death, the estate has pulled in billions of dollars by selling Jackson's catalogue and coordinating a biopic, among other things associated with running the King of Pop's global brand.

Given the significant money at play, it is unsurprising that tensions have simmered between the personal representatives and Jackson's beneficiaries. Although not litigated, as early as 2012, there were calls for the personal representatives to resign and allegations that Jackson's will was faked. *Jermaine Calls for an End to Jackson Family Feud*, BBC (Aug. 2, 2012), https://tinyurl.com/3kctf8wr. See also Alan Farnham, *Michael Jackson Family Feud: Lessons for Wills and Trusts*, ABC News (July 27, 2012), https://tinyurl.com/mr434t5b. Later, when the personal representatives were selling Jackson's catalogue in 2022, Jackson's mother objected to the sale. Most recently, in her November 19, 2025, filing, Paris lodged formal objections to the personal representatives' accountings for the year 2021.

The Claims: Paris Jackson v. the Executors

Among other concerns, Paris argues that (1) there has been a lack of transparency with accounting delays that are contrary to the personal representatives' duties, (2) the personal representatives' fees are allowing them to personally benefit from the slow administration and may rise to the level of self-dealing, and (3) the estate is taking on greater risks to garner income (i.e., the biopic) yet failing to invest large amounts of cash, in violation of the prudent investor rule.

The personal representatives have vigorously denied all of these allegations, asserting that they have saved the estate from insolvency and that Paris has received approximately $65 million in benefits since her father's death. Ryan Coleman, *Michael Jackson's Daughter, Paris, Suffers a Setback in Fight Against Her Father's Estate*, Ent. Weekly (Nov. 14, 2025), https://tinyurl.com/3jff8mrp. The personal representatives also have sought their fees and costs incurred in connection with an anti-SLAPP motion granted in their favor against Paris associated with a prior July 2025 objection filed by Paris.

What Can We Learn from the Jackson Estate

Normally, an estate administration lasting 16 years would be all but absurd. Despite the King of Pop's estate having a life of its own, there are useful takeaways we can share with clients. A discussion of legal issues in pop culture can be a way to open serious conversation about trust and estate issues with clients. It can lighten the conversation for people who may feel uncomfortable about the topic of their own death. For example, although most people would prefer not to know about the ins and outs of conservatorships and the value of powers of attorney, lay people, who otherwise have no interest in the law, can talk for hours about Britney Spears's conservatorship and the associated areas of potential legal reform.

No Matter Your Age—Have an Estate Plan

First, it should not be lost on readers that Jackson's having an estate plan at his death was (1) not a guarantee and (2) likely drastically helped the administration of his estate. Jackson died young and unexpectedly at the age of 50.

Meanwhile, his contemporary, Prince, passed away six years later without a will. Similarly, upon her death in 2018, Aretha Franklin died with only a handwritten will devising her $80 million estate. Both estates were left embroiled in years of litigation caused, at least in part, by the lack of sophisticated estate planning.

For the general public, just over half of adults over the age of 50 have a valid estate plan, with only 38% of adults 50–64 having an estate plan. S. Kathi Brown, *Disparities in Wealth Transfer: Experiences and Expectations of Adults Ages 50-Plus*, AARP (June 6, 2024), https://tinyurl.com/5cewc2uk. There is also a racial gap present with estate plans, with Black households "far less likely to have a valid will than their White counterparts." Jean-Pierre Aubry et al., *How Much Could Will-Writing Reduce the Racial Wealth Gap?,* Ctr. for Ret. Rsch. (Nov. 5, 2024), https://tinyurl.com/2u376xnd. All in all, it would not have been surprising if Jackson died intestate like Prince, but Jackson's careful planning may have helped avoid even more litigation.

Had Jackson died without a will, it is almost inevitable that there would have been a fight over the control of his assets, who may be considered beneficiaries, and who would take custody of his children, and his estate likely would not have seen such an increase in value. Article VI of Jackson's will foreclosed potential "heirs" from making a claim on his estate by intentionally omitting to provide for his heirs outside of the Michael Jackson Family Trust. He also may have been able to minimize tax liabilities. More importantly, his three minor children would not have had a designated guardian and that also may have resulted in family conflict. Undoubtedly, this would have increased the cost and time of administration but likely would have made it a less successful administration overall. The estate's comeback from the verge of bankruptcy could have happened only with experienced fiduciaries at the helm.

Estate plans are important for anyone from Joe Shmoe to ultra-high-net-worth individuals. For people with children, naming guardians prevents family disputes and can help the children's transition. Estate plans also can minimize conflict and can put people in control who may not be family but may be best positioned to manage assets. Estate planning also can help minimize estate tax obligations.

The Duty of Loyalty and Self-Dealing

Turning to the administration of trusts and estates, the duty of loyalty is the most fundamental duty a fiduciary owes to the beneficiaries of a trust or estate. Under the Uniform Trust Code, a "trustee shall administer the trust solely in the interest of the beneficiaries." Unif. Tr. Code § 802(a). A trustee and personal representative's failure to abide by the duty of loyalty may be grounds for removal. *Id.* § 706(b)(1).

Self-dealing is in direct violation of the duty of loyalty. *Id.* § 802. Under the Uniform Trust Code, for example, trustees may be removed for engaging in self-dealing—in other words, entering into transactions for their own personal benefit (e.g., investing money in their own business ventures, taking excessive fees, etc.)—that is, they can be removed or surcharged for damages. *Id.* §§ 706(b)(1), 1001(b)(3). That said, it is not necessarily self-dealing for a trustee or personal representative to receive compensation. Trustees and personal representatives are entitled to be compensated for their work, so long as the amount of compensation is reasonable. *Id.* § 708; Unif. Prob. Code § 3-719.

In her objection to the executors' Twelfth Account, Paris alleges that the executors are paying themselves unreasonable compensation and making "risky bets that are not necessarily aligned with the best interest of the Estate," and may be driven by self-interests, raising questions about self-dealing and the duty of loyalty. Specifically, Paris alleges that the "Executors simply do not share in the upside [of managing the Estate's cash but] are entitled to receive a fee equivalent to 15% of gross entertainment-industry related income of the Estate," which is incentivizing the personal representatives to prioritize risky entertainment ventures and ignore investing cash balances. Paris also alleges that the executors have paid "extra-contractual gifts to law firms long after 2018 . . . . [with] a total of over $10 million paid by the Estate to Executors and Mr. Branca's affiliated law firm, an amount far in excess of any cash distributed to any beneficiary during this same year." In total, Paris alleges that "Executors have received total compensation of $148,252,657 from the Estate through the end of 2021, which dwarfs any amount distributed to Paris or her siblings." Paris also notes that one of the executors may have used his position to ensure an "A-list actor" played him in the biopic *Michael*, a choice that may not have been made if the estate were not financing the biopic (although all lawyers know that lawyers should be played by A-list celebrities).

Ultimately, although it's possible all of the executors' actions were reasonable, when there is a significant amount of money at play, questions about reasonableness and, relatedly, self-dealing are sure to arise. Here, assuming Jackson's estate is worth $2 billion, $148,252,657 is equivalent to $148,252 in a $2 million estate. The estate administration also has been ongoing for over a decade, which also may justify the increased cost. The issue is ultimately for a judge to decide, but the complexity of an estate such as Jackson's may make such compensation reasonable.

As a general matter, fiduciaries should take care to avoid actual or apparent conflicts of interest. Although potentially innocuous, perceived conflicts of interest can create a perception of a conflict in the eyes of beneficiaries, and concerns should be discussed with a goal of being as transparent as possible. Transparency is key. A failure to do so may damage a beneficiary's view of the fiduciary even if no actual wrongdoing has occurred. If there are concerns, fiduciaries can seek court approval for actions to minimize legal risk.

The Prudent Investor Rule

Paris alleges that keeping $464 million uninvested violates the classic "prudent investor" rule. The prudent investor rule generally comes up not in the management of an estate but, more typically, in the trust context, though, given the unusual length of the Jackson estate administration, it is not surprising that concerns may be raised about the management of the estate's cash funds.

Under the Uniform Trust Code and Uniform Probate Code, a trustee and a personal representative have a duty to administer the trust or estate respectively as a "prudent" person would. Unif. Tr. Code § 804; Unif. Prob. Code § 3-715(5). This standard means that the trustee or personal representative must exercise a degree of reasonable care, skill, and caution. Unif. Tr. Code § 804; *see also* Unif. Prob. Code § 3-715 cmt. ("This section accepts the assumption of the Uniform Trustee's Powers Act that it is desirable to equip fiduciaries with the authority required for the prudent handling of assets and extends it to personal representatives.").

If Paris's allegations are true and that there are large sums of cash being held in a low-interest account during a period of high inflation, the court must consider whether it was prudent to keep a large cash reserve instead of investing the assets. Generally, cash reserve issues come up in the trust context but can become an issue in complicated estate matters, such as those tied up with valuation disputes. For any type of fiduciary, cash reserves should be justifiable. It is likely okay for trustees or personal representatives to hold cash reserves for final expenses, taxes, professional fees, and potentially outstanding liabilities to ensure proper liquidity for obligations. Cash reserves are particularly useful when a trust largely holds illiquid assets that may be hard to liquidate quickly or without a discount, like real estate and business interests. But cash reserves do not justify failing to invest large sums of a trust or estate. Rather, it may be smarter to have some cash reserves that can be accessed quickly and some invested cash that can be accessed more quickly than real estate but that have a higher level of return.

A failure to prudently invest assets in a trust or estate can subject the fiduciary to damages. Here, Paris alleges that had the $464 million in uninvested cash been invested in a 60/40 split of common bonds and index funds, "the Estate's cash would have earned approximately $41,009,654 in 2021 alone." Although most fiduciaries are not dealing with estates or trusts with hundreds of millions of dollars and are not making decisions that could subject them to millions of dollars of damages if the alleged breach is proven true, Paris's claims highlight the severe consequences a fiduciary may face if cash reserves are not intentionally managed.

The Duty to Inform and Report

Paris's claims also implicate the duty to inform and to respond to reasonable requests for information. According to Paris, there has been a "persistent lack of transparency with respect to certain large expenses and lack of diligence in timely reporting their activities to the beneficiaries and the Court." Paris also alleged that "rather than address [her] requests for basic information, Executors have engaged in a scorched-earth litigation strategy against her."

In both a trust and estate context, fiduciaries have duties to respond to reasonable requests for information under the Uniform Codes. Under the Uniform Trust Code, "[a] trustee shall keep the qualified beneficiaries of the trust reasonably informed about the administration of the trust . . . [and] promptly respond to a beneficiary's request for information related to the administration of the trust." Unif. Tr. Code § 813. Responding to requests in a reasonable and prompt manner also reduces tension between parties and is a best practice.

Conclusion

Unfortunately, Jackson's estate and legacy continue on, much as Jackson's life had in his later years—litigated, televised, and monetized. The conflict over the King of Pop's estate highlights that even the most profitable estates can face litigation, particularly if a beneficiary believes that fiduciaries are failing to communicate effectively or appear to prioritize their own interests. For trustees and personal representatives, the takeaways are clear: avoid conflicts of interest, invest assets productively and prudently, and maintain rigorous, timely transparency with beneficiaries.

Authors

Carly Johnson

...

Evan Nelson

...