

By Herbert E. Nass

## Father Does Not Always Know Best

The sad legacy of actor Heath Ledger is a nearly disinherited daughter

**T**he shock of actor Heath Ledger's untimely death has passed, but questions still linger. Although only 28 when he died, Ledger had a will. Yet the multi-millionaire left his only child with a mere \$145,000. The baffling part is: Why would someone who was careful enough to have a will at such a young age not update it when he became a father?

Born Heath Andrew Ledger, the Academy Award-nominated actor best known for his roles in *Brokeback Mountain* and *Monster's Ball* died accidentally from a prescription drug overdose on Jan. 22, 2008 in a rented loft on Broome Street in the SoHo section of New York City. Ledger left a multi-million dollar estate, with assets in native Australia as well as New York and California. He also left behind a two-year-old daughter, Matilda Rose, fathered with one of his *Brokeback* co-stars, Michelle Williams, whom he never married.

Ledger was born in Perth, Australia on April 4, 1979. Despite the fact that the actor spent the majority of his time working on film projects in the United States, he did not have a green card. Ledger was considered a domiciliary of Australia until his death. It's

interesting to note that in the Petition for Limited and Temporary Administration filed in the New York County Surrogate's Court in February of 2008, Ledger's permanent place of residence in the United States is

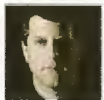
listed as his Los Angeles home and not the Broome Street loft nor the Brooklyn home he once shared with Michelle Williams and Matilda Rose.

Ledger executed his Australian will in Claremont, Western Australia on April 12, 2003. The document is a simple three pages, essentially stating that one-half of his estate is to be divided between his parents, Kim Francis Ledger and Sally Anne Bell, and the other half is to be divided

equally among his sisters, Katherine Anne Ledger, Ashleigh Kristen Bell and Olivia Jane Ledger, with the share of any sister to be held in trust until she reaches 18-years-old. There's no mention of Ledger's daughter Matilda Rose in the will because she was not born until two years later.

Ledger appears to have been concerned about the welfare of his family. That makes it more surprising that he did not choose to execute a new will after his daughter was born on Oct. 25, 2005.

Matilda Rose, as Ledger's only surviving distributee, is entitled under New York State's Estate, Powers, & Trusts Law Section 4-1.2 to the assets held in Ledger's name in New York. New York law provides that after-born children of a decedent, whether natural or adopted, are entitled to their intestate portion of their



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Photograph: AP Images (apimages.ap.org)

deceased parents' estates, so long as the children are recognized to be the decedents' legal issue.

According to papers filed in the New York County Surrogate's Court, the assets held under Ledger's name in New York represent only a fraction of the fortune he'd amassed during his brief, highly successful career as an actor. They included miscellaneous bank accounts totaling about \$100,000, a Toyota Prius estimated to be worth \$25,000, and various home furnishings estimated at \$20,000 for a grand total of \$145,000. Just a drop in the bucket when compared with Ledger's multi-million dollar net worth at the time of his death.

Hopefully, the laws of the Western State of Australia, like those of the State of New York, provide fairly and adequately for after-born children of a decedent. Even if the laws don't protect an after-born child, we hope that Ledger's parents and sisters will do right by their granddaughter and niece, as their famous, but fleeting, son and brother tried to do for them.

Ledger will appear posthumously in the soon-to-be released Batman movie *The Dark Knight*, which he'd just finished filming before he died. **TE**

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