

SUPREME COURT OF GEORGIA

Meadows v. Beam

302 Ga. 494 (2017) · Decided October 30, 2017

SUMMARY

The Georgia Supreme Court reversed a judgment setting aside Dorothy Rita Beam’s 2014 will and codicil based on alleged lack of testamentary capacity. The court held that the evidence, viewed in the light most favorable to the caveators, was legally insufficient to show that Beam lacked the capacity to form a decided and rational desire concerning the disposition of her property or that she suffered from an insane delusion connected to the will. The court also reversed the associated award of attorneys’ fees.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                 |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Supreme Court of Georgia                                                                                                                                                                                                                                                                                                        |
| WRITING FOR THE COURT | Peterson, Justice                                                                                                                                                                                                                                                                                                               |
| JURISDICTION          | Georgia                                                                                                                                                                                                                                                                                                                         |
| DECIDED               | October 30, 2017                                                                                                                                                                                                                                                                                                                |
| DISPOSITION           | reversed                                                                                                                                                                                                                                                                                                                        |
| PROCEDURAL POSTURE    | After a jury found that Dorothy Rita Beam lacked testamentary capacity to execute her 2014 will and codicil and awarded attorneys' fees to the caveators, Dorothy Marian Meadows appealed the trial court's judgment.                                                                                                           |
| STANDARD OF REVIEW    | The evidence is viewed in the light most favorable to the prevailing party. Although appellate review of a jury verdict generally asks whether any evidence supports it, whether the evidence is legally sufficient to support the jury's finding is a question of law. A stringent standard applies when setting aside a will. |
| PRECEDENTIAL VALUE    | Published, precedential decision of the Supreme Court of Georgia.                                                                                                                                                                                                                                                               |
| PARTIES               | Dorothy Marian Meadows v. John Beam, Jr., Margaret Beam, Jayne Heggen                                                                                                                                                                                                                                                           |

TOPICS

- testamentary capacity
- will contests
- probate
- standard of review
- appellate procedure

## PRACTICE AREAS

Probate

estate planning

appellate procedure

## QUESTIONS PRESENTED

1. Whether the evidence was legally sufficient to support the jury's finding that Decedent lacked testamentary capacity to execute the 2014 will and codicil.
2. Whether the award of attorneys' fees to the caveators could stand after the testamentary-capacity verdict was reversed.

## HOLDINGS

1. The evidence was legally insufficient to support the jury's finding that Decedent lacked testamentary capacity. Georgia law requires proof that the testator lacked a decided and rational desire concerning the disposition of property, and the caveators failed to establish that Decedent was insane, suffered from monomania connected to the will, or otherwise lacked the required capacity.
2. The award of attorneys' fees to the caveators was reversed because the judgment sustaining their testamentary-capacity challenge was reversed.

## KEY QUOTATIONS

*“Under Georgia law, “[t]estamentary capacity exists when the testator has a decided and rational desire as to the disposition of property.”” (302 Ga. at 498)*

*“This is a modest requirement, as “testamentary capacity may be possessed by weak- minded or feeble individuals. And anything less than a total absence of mind does not destroy testamentary capacity”” (302 Ga. at 498)*

*“But Caveators effectively conceded that none of Decedent’s delusions were insane ones.” (302 Ga. at 499)*

## FACTUAL BACKGROUND

Dorothy Rita Beam, a ninety-year-old woman with multiple medical conditions, exhibited confusion, memory loss, and several false beliefs before and during 2014. She revoked her son's power of attorney after believing he had stolen financial documents and later executed a new will and codicil that excluded him from receiving assets directly and gave most of her estate to Marian. At trial, the caveators presented lay testimony and a forensic psychiatrist's opinion that Beam lacked testamentary capacity and was influenced by a fixed false belief, but they disclaimed that she was insane or suffered from monomania.

## PROCEDURAL HISTORY

Meadows petitioned to probate Decedent's 2014 will and codicil. Her siblings filed a caveat alleging lack of testamentary capacity, and a jury returned a verdict for the caveators and awarded attorneys' fees. The Supreme Court of Georgia held that the evidence was legally insufficient to support the verdict and reversed the judgment, including the fee award.

## DISPOSITION

reversed

## CASES CITED

- Patterson-Fowlkes v. Chancey, 291 Ga. 601, 602 (732 SE2d 252) (2012)
- Cook v. Huff, 274 Ga. 186, 186 (552 SE2d 83) (2001)
- Lockwood v. Daniel, 194 Ga. 544, 548 (22 SE2d 85) (1942)
- Holland v. Holland, 277 Ga. 792, 795 (596 SE2d 123) (2004)
- Evans v. Arnold, 52 Ga. 169, 181 (1874)
- Odom v. Hughes, 293 Ga. 447, 454 (748 SE2d 839) (2013)
- Patterson-Fowlkes v. Chancey, 291 Ga. 601, 602 (732 SE2d 252) (2012)
- Boney v. Boney, 265 Ga. 839, 840 (462 SE2d 725) (1995)
- Nodvin v. Arogeti, 277 Ga. 602, 602 (592 SE2d 846) (2004)
- Powell v. Thigpen, 230 Ga. 760, 760-761 (199 SE2d 251) (1973)
- Reeves v. Webb, 297 Ga. 405, 408-409 (774 SE2d 641) (2015)
- Skelton v. Skelton, 251 Ga. 631, 632 (308 SE2d 838) (1983)
- Brumbelow v. Hopkins, 197 Ga. 247, 250 (29 SE2d 42) (1944)