SYNDICATE LEGAL ADVISORY SERVICES

ESTATE PLANNING

Syndicate Legal Advisory Services – *Estate Planning*

SYNDICATE LEGAL ADVISORY SERVICES

Team of:
Attorneys / Lawyers
Law Clerks
Paralegals
Industry Specialists

ADVICE TO THOSE SEEKING '*DO-IT-YOURSELF WILLS & TRUSTS*':

We have all seen the advertisements for simple, fast and easy do-it-yourself will or living trust kits. There are also many paralegals who claim they can prepare your documents for a low fee. You may have even seen television commercials for Legalzoom.com, which is heavily marketed. All of these advertisements may leave you with one burning question: *Do they work?*

One of the main problems with do-it-yourself kits is that you get no personal advice tailored to your needs. It is easy to overlook important legal clauses that could end up costing your beneficiaries thousands in unnecessary taxes or corrective attorney fees. The added difficulties of improperly drafted estate planning documents can also be an emotional burden on your family.

Some of the software and kits walk you through the process, but leave you exposed in many ways. This is why the websites and packaging have legal disclaimers suggesting you consult an attorney.

The simple answer to that is you should always hire an attorney if you can, especially when the fees are comparable. The following is a list of some situations where it would be unwise to use a do-it-yourself kit:

•You are married with children from a prior marriage.
•You are a property owner.
•You want to disinherit a child.
•You have a disabled child or beneficiary with special needs.
•You have minor children.
•You have financially irresponsible beneficiaries.
•You are a business owner.
•Your estate is taxable (at its current value or possible future value).
•You would like to include creditor protection for your beneficiaries.
•You are in a domestic partnership.

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The Execution Is What Matters: **Even the simplest will or trust can be invalid if the rules are not followed. A will or trust is not valid if it is not properly executed and witnessed according to California Law. You also must be careful who serves as a witness. A will or trust can be invalid if an interested party is used as a witness.**

You must also use caution when storing your will. A testator's will may be revoked if the original cannot be produced. We or your Attorney can store your original will in a fire-proof safe at our location. This protects the will from being lost, stolen, tampered with or destroyed by fire. This service is optional, but highly recommended to safeguard your testamentary document.

Will Contests: **Do-it-yourself wills and trusts can be more susceptible to will and trust contests than professionally drafted documents. When you use a do-it-yourself kit, no one has reviewed it for accuracy and validity. You also do not get the benefit of a licensed professional verifying your capacity to sign the documents. One of the most popular ways to contest a will or trust is to allege that the person signing it had no capacity or was subjected to undue influence. When you use the services of a licensed attorney, you will have documents that are valid and accurate. Your capacity to execute the documents will also be verified. While this is no guarantee that a will or trust contest will not be initiated, the service certainly adds an extra layer of protection to the process.**

Taxes: **Tax planning can be complex. Attorneys who specialize in tax planning must go through an extra year of legal schooling to receive a *Master of Laws in Taxation* designation. The average person does not know how much money he or she will eventually pass at death and they need sound advice. There are many nuances that do-it-yourself kits are simply not designed to handle. Other transfer methods such as 401(k), IRA and life insurance beneficiary designations can equal trouble for your beneficiaries without proper planning. Mistakes in a do-it-yourself kit could cost your heirs far more in the future.**

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Estate Planning Services include:
- Assisting with all aspects of Trust Administration
- Meeting with Clients, Trustees and Family Members
- Communicating with Beneficiaries
- Drafting Correspondence & Legal Documents
- Drafting & Editing Trust Documents
- Drafting & Editing Powers of Attorney
- Preparing Deeds
- Asset Spreadsheets and Probate Pleadings
- Preparing Drafts of Federal Estate Tax Returns & Gift Tax Returns
- Reviewing Bank Statements
- Organizing & Maintaining Client Files

Estate Areas of Specialization (*but may not be limited to*):
- California Living Trust:
  - *Single Living Trust*
  - *Joint Living Trust*
- Nevada Trust:
- California Wills
  - *Last Will & Testament*
- California Property Transfers
  - *Trust Transfer or Quitclaim Deed –*
- Offshore Trusts
  - *Cook Islands Trust*
  - *Nevis Trust*
  - *Belize Trust*

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