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Estate Planning FAQs



1. I'm married with joint assets, do I really need an estate plan?

Yes. There are almost always assets from cars to an old bank account and debts like student loans with only one name. In this world of blended families and multiple living generations, the law's default plan may not be what you would choose. No plan means added expense and confusion for doctors and loved ones as to who's in charge of your health, your finances, and your children. Make your loved ones lives easier by making decisions and giving them guidance now.

2. Why pay a lawyer when the same documents are available at Staples or on the Internet?

Because they're not the same documents. We have seen a lot of DIY documents that are prepared incorrectly and, therefore, rejected by banks, hospitals, courts, etc. when the document is needed. Not only does an attorney customize the documents to your situation, but the attorney oversees that the document is enforceable.

3. What is an "estate plan"?

There are three main documents: Last Will & Testament, Power of Attorney, Living Will. The Last Will and Testament identifies the beneficiaries of your assets and puts someone (an Executor) in charge. You can also name a Guardian and a Trustee for any minors or incompetent adults. The Power of Attorney allows someone to act on your behalf in business affairs and legal matters when you cannot or do not want to handle it yourself. The Living Will, also known as the Advanced Healthcare Directive, lets you provide guidance to doctors on your medical care if you cannot and allows you to name someone as your Health Care Representative to make decisions on your behalf.

4. Is it complicated and expensive?

For most of us, Estate Planning is not complicated. We provide you with a simple questionnaire to get started. Then, based upon your answers, it generally takes 1-2 weeks for us to prepare drafts. As always, we are committed to providing *quality representation at a fair price*, so call (609) 298-4280 or email us at jennifer@Leighton-Law.com to get started.

This document is for general informational purposes only and should not be construed as legal advice. Contact Leighton Feldman LLC to review your situation and get personalized legal advice.

