

Frequently Asked Questions

What is estate planning?

Estate planning is the process of preparing for and creating legal documents that provide the opportunity to name and authorize trusted loved ones to act or transaction on your behalf (make financial and medical decisions) when you are unable. A typical estate plan also provides the opportunity to create a legacy plan for the distribution of your asset when you pass.

Who needs estate planning?

Every adult may benefit from some form of estate planning. Having a plan in place provides the comfort and confidence of know if the unexpected happens, your trusted loved ones will know your wishes and intention and be empowered to carry them out.

Who are these templates designed for?

Our templates are designed for those with straightforward estate planning goals. If you have complex financial situations, family structures, or unique needs it's always best to confer with licensed to professional to determine the type estate plan that best meets particular circumstances.

Is this legal?

Yes. The state specific, reliable document templates are created by attorneys. Once you have entered your responses and submitted the questionnaire, your documents will be prepared and emailed to you to print, sign, and notarize.

What documents are included in an estate plan through this solution?

The available estate plan document tools include a Last Will and Testament or Revocable Trust, General Durable (Financial) Power of Attorney, Medical Power of Attorney, Advance Directive/Living Will, HIPAA Authorization, Declaration of Appointment of Guardian, and Appointment of Agent to Control Disposition of Remains. The product options are presented in comprehensive packages to ensure the estate plan you choose is complete.

What is the purpose of these templates?

Last Will and Testament - This document defines how your estate will be distributed (who inherits what) and appoints the person who will handle your final affairs as your Executor (sometimes referred to as your “Personal Representative”).

General Durable (Financial) Power of Attorney - This document allows your named agent(s) the authority to make financial, property, and investment decisions in the event you become incapacitated.

Medical Power of Attorney - This document gives your named agent(s) the authority to make health care decisions in accordance with your wishes in the event you are unable to make decisions for yourself.

HIPAA Authorization - This document gives authorization for your physician or medical entity to disclose your health information to your designated representative.

Living Will / Advanced Directive for Physicians - This document communicates your decisions about end-of-life care.

Declaration of Appointment of Guardian - This document designates the person(s) you would like to serve as your guardian in the event you need a guardian to manage your affairs during your lifetime.

Appointment of Agent to Control Disposition of Remains - This document appoints your agent to control and make decisions regarding your bodily remains.

Revocable Trust – During your lifetime, you serve as the Trustee of your own Trust, retaining control over the assets titled into your Trust. This document provides you the opportunity to name who will continue on as successor Trustee of your estate when you are no longer able. The Trust provides authority and direction for how and to whom your assets and personal property will be held or distributed.

Pour-over Will - This document works in conjunction with a Revocable Trust. “Pour-over” provides that any assets not arranged for with the Trust are to be moved into the Trust for the purposes of managing your estate.

Certificate of Trust - This document is a summary of the provisions in your trust to provide to financial institutions (banking, brokerage/investment, etc.), title companies, etc. when moving assets in or out of your Trust or when naming your Trust as a beneficiary on an account.

What is the difference between a Last Will and Testament and a Revocable Trust?

In the most general terms, the difference is a Will details who gets what and a Trust provides who gets what and how. The difference is the amount of control desired in order to fulfill your wishes and intentions.

What is probate?

Probate is the legal process of administering your estate after you pass. This court process involves identifying and valuing your assets, paying any outstanding debts, and distributing the remaining assets to the heirs. Probate primarily applies to individuals who only have Wills in place (or nothing at all).

Can I avoid probate?

Yes. Building an estate plan around a Trust can help avoid the need for probate and can make the process easier.

What is “funding” a Revocable Trust?

Once you have created a Trust, during your lifetime, you serve as the Trustee of your own Trust, retaining control over the assets titled into your Trust. After creating the Trust the important next step is commonly referred to as “funding” the Trust. This involves transferring or re-title of your assets from your name into the name of the Trust. To do this, contact the respective financial institutions, title companies, etc. and complete the necessary paperwork provided by the entity. They may ask for a copy of your Trust Certificate (included in the comprehensive Trust Package).

Can I transfer my home to the trust?

Whether you own real property outright or have a mortgage, you have the option to transfer or title the property into the name of the Trust so it can be held, sold, distributed or managed through the Trust.

What is the difference between a Revocable Trust and an Irrevocable Trust?

A Revocable Trust can be changed or revoked by the person who created it while an Irrevocable Trust typically cannot be changed or revoked, except in very limited circumstances with court permission and the approval of all beneficiaries.

Do I need an estate plan if I don't have many assets?

Everyone can benefit from having an estate plan, regardless of the size of their estate. An estate plan has benefits that are more than just the value of an estate. Yes, an estate plan can ensure your assets are distributed according to your wishes. Additionally, other document in a comprehensive estate plan allow you to name trusted loved ones to assist with making with financial and medical decisions during your lifetime if you need their help.

Can I make changes to my estate plan?

Yes, you can make changes to your estate plan at any time.

After I download my forms, what are the next steps?

Your estate plan will be emailed to you directly. Along with the documents, you'll receive written instructions for signing and notarizing the documents in your package. Once the documents are signed and notarized, make copies to share as needed and store the originals in a safe location (a safe deposit box or secure location at home).

Should I inform others that I have created an estate plan?

Letting your loved ones know you have created a plan, and where to find the documents if they need to act on your behalf, can eliminate confusion and further disruption in trying times. However, it is entirely up to you if, whether, or how, you share your information.

Is my information secure?

Yes. Your information is stored and protected with the highest levels of protection. We are serious about security and will never share or sell your personal information.