



**PERSONAL  
FAMILY LAWYER**

A stylized, cursive signature in blue ink, appearing to read 'L. Caisse'.

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*Your trusted family advisor.*

**Do-it-yourself Wills and Trusts are all over the internet, with promises of saving you money and protecting your loved ones after you're gone. But don't be fooled! They're often way more trouble than they're worth. Read more.**

2024.04.01

## **April Fools! How DIY Wills and Trusts Offer a False Sense of Security ... and May Leave Your Family with an Expensive Mess**

If you've been traveling around the sun for a while, you've no doubt heard of a Will, a document that says what happens to your money and belongings after you die. You may even have a Will, or know you should get one. And maybe you've heard of a Trust and wondered what it is and how it works. You may have even done research on Google about how to do your own Will or Trust.

In fact, it's hard to poke around the internet and *not* find do-it-yourself ("DIY") Wills and Trusts services. Legal Zoom, TrustandWill.com, and even media personalities Dave Ramsey and Suze Orman offer cheap DIY documents. Heck, you can even create your own Will or Trust for free by downloading a few forms. What these websites won't do, however, is explain the potential consequences that can happen if you use one of their services.

## Legal Documents Have Legal Consequences

The truth is that Trusts and Wills, and other documents that all adults should have in place, like a health care directive and power of attorney, are legal documents with legal consequences. They contain lots of legal language. Even if you think you understand the words, you likely don't fully understand the nuances in the terminology. There's a reason lawyers have to complete college, graduate from law school, then pass a bar exam before they can practice. It takes time and effort to learn the law, the legal terminology, the application of the law, and the potential consequences if something goes wrong.

Even then, many lawyers who don't specialize in estate planning, or Wills and Trusts, and who don't have training as a Personal Family Lawyer®, as we do, put in place legal documents that fail when you become incapacitated or die, for various reasons. And, yet, you may be getting sold on the idea that you can draft legal documents on your own, using an online website. The promise is you can save money, and completely protect yourself and your loved ones from expensive legal consequences of not having planning in place. Since it's early April when this article is being published, we call "April Fools" on these services.

## A Real-Life Cautionary Tale

Let's keep you from being fooled by illustrating what can happen when you draft legal documents on your own without understanding the consequences. What follows is a true story:

A woman passed away and her husband came into his lawyer's office to get legal advice on what to do next. The woman we'll call her "Jane") received an inheritance from her first husband (let's call him "John"). She was also close to her adult children and her grandchildren, and wanted to make sure they received what was left of her inheritance from their father. And while she intended to leave her second husband some money, she made it very clear to her family that she wanted to provide for her children and grandchildren.

Jane was frugal. She didn't want to spend money on an attorney. So she did some research on Google about Wills and Trusts, downloaded some forms, and wrote out her own documents. She learned from Google that a Trust can keep her family from going through a court process called probate, which would save them money and leave more for them to inherit. She then drafted her own Trust thinking that she'd achieve her goals and save money at the same time.

You may already see where this is going...

When John's lawyer read Jane's DIY Trust, they realized that what Jane actually did was leave her *entire inheritance* to her second husband. Jane legally disinherited her children and grandchildren. Jane's DIY Trust was also subject to laws of a different U.S. State than the one she lived in, meaning that any legal process related to the Trust would be more complicated than it needed to be. Surely this was not the result Jane wanted.

Jane not only disinherited her children, but she failed to transfer her house to the Trust, despite drafting and filing a deed on her own, and she left assets out of her Trust altogether. So while she thought she was doing the right thing, what she really did was leave her loved ones with a giant, expensive mess.

Not surprisingly, the family ended up in court and years later, the matter still isn't resolved.

## You Don't Have to Make the Same Mistakes

Jane must have believed what she heard from well-meaning folks like Dave and Suze about doing a Will and Trust on her own. She probably thought she understood the legal documents she drafted and signed. She most definitely thought she was making things easy for her family and that she was giving her children money from their father. But Jane was fooled.

Don't be Jane. If Jane had worked with a Personal Family Lawyer®, she would have created a plan that would accomplish her goals, and keep her family out of court and out of conflict. She would have saved her family years of heartache and pain, not to mention the expense. Jane's story teaches us that it's absolutely worth it to work with a lawyer whenever you're dealing with a legal document - including a Will or Trust. Don't "Trust" those (see what we did there?) who say you can do it cheaply or do it yourself. Don't be Jane.

## What to Do Instead

You owe it to your loved ones to take the time and put in the investment to do your estate planning right, and keep it up over time. In fact, it's the last and greatest gift you can leave them. Having your affairs buttoned up so they don't have a mess on their hands and are allowed to process their grief in peace is your final act of love.

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If you want to leave your family the gift of your love, we can help. At our firm, we don't merely dispense legal counsel or draft documents; we safeguard your family. We look at your specific family dynamics and your goals and then work with you to create a plan that ensures you and your loved ones avoid the stress, conflict, and chaos that comes from DIY documents.

To learn more about how we approach estate planning from a place of heart so you can leave your family with love, schedule a complimentary 15-minute call with our office here:

<https://calendly.com/laurencaisse/schedule-a-free-15-minute-discovery-call-with-lauren-caisse-esq>

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