



OUR ESTATE PLANNING PROCESS: How it Works

As your estate planning attorney, we strive to serve you as people, not as a file. By focusing on your family's hopes, dreams and aspirations, we are able to merge your vision with our legal expertise to create plans that serve your family not only today, but well into the future.

If you are like most people starting the estate planning process, you probably do not have a full understanding of what is involved. The most common questions include:

1. What is the process?
2. What type of estate plan do I need?
3. How much will the estate plan cost?
4. How long does it take to complete the estate planning process?
5. What do I have to do after my estate plan is created?

We will answer these common questions and more below.

The Beginning & The Hardest Part: Discovery Session

Most of the time, the hardest part of the estate planning process is taking the initiative to get started. Whether you were referred by an existing client, another professional or found us online, the hardest part is just getting started. I get it. It is not something that seems overly enjoyable. And truthfully, in the beginning, it is not, at least not for you. For me, I love it. I tell my clients all of the time, my favorite part of my job is meeting clients, getting to know them, finding out about their families, their values, their culture and ancestry, their hope and dreams, understanding their wishes, exploring their fears and concerns, and re-assuring them that regardless of their situation, we can design a plan for them. Of course that does not occur during the initial call (Discovery Session) but it gets the ball rolling. Our Discovery Session is designed to accomplish a few things:

1. Gives us an opportunity to introduce ourselves;
2. Understand your general goals;
3. Provide some advice and confirm we can be of assistance;
4. Offer you a flat fee quote for the estate plan based on our discussion;
5. Determine if you want to retain us; and,
6. Find a good time to get together to discuss further.



We offer prospective estate planning clients a complimentary one-half hour Discovery Session for general estate planning. If you were referred to our office by a client or an advisor, or attend one of our free educational workshops, there is no charge for a 45 hour Discovery Session. Please note, however, that we reserve the right to charge for other initial consultations. We do not bill clients for anything until an agreed upon fully executed fee agreement is in place.

If we move forward in designing a plan, we will provide you with a Data Gathering Packet with a list of documents we will need you to bring back for your Design Meeting in addition to a Personal Information Sheet, listing family members and other personal information.

Before Our Estate Planning Design & Asset Gathering Meeting

Once you have retained us, we will send you a link to our online [Estate Planning Design Worksheet](#). The purpose of the Worksheet is to obtain information about you so we can maximize our time together during our Design and Asset Meeting. The Worksheet is very detailed and has many personal and substantive questions. First, know that everything we discuss and all the information you provide to us is confidential and protected by attorney client privilege. Second, you may not be able to answer all of the questions until our meeting. That is to be expected, after all, this is why you are meeting with us. Even if you cannot answer all the questions, they could help prepare you for our meeting. We will also send you [directions to our office](#) and confirm our meeting time. (Of course, currently, all our meetings occur by video-conference)

The Estate Planning Design & Asset Gathering Meeting

Any attempt to outline the specifics of each estate planning meeting would be virtually impossible. Our estate planning meetings are designed to have a conversational flow. If an estate planning attorney is using an outline, or has a computer in front of him or her, to conduct the initial meeting . . . run! This is because you cannot really understand how to draft an estate plan with a checklist or outline. It is the same reason why Legal Zoom or other computer-driven systems [are not able to properly draft estate plans](#). Nevertheless, there is some basic structure to most estate planning meetings. They are as follows:

1. Going through your intake form to better understand who you are, beyond what is written on paper;



2. Explaining estate planning concepts and how those concepts are applicable to you, generally;
3. Design your specific estate plan by discussing the pros and cons of various options;

During the Design Meeting, we discuss the specific details of your plan. I often say my job during these Design Meeting is to "address the issues that keep you up at night, give you nightmares, or are just too painful to consider. Then we make a plan to address them." This is really a creative process, where we discuss solutions, pitfalls, and options. This can also be a very emotionally powerful, and painful, time to reflect on your family, your connections to them, and how the documents may represent those bonds. Based on the specific needs and goals of our clients, we make estate planning recommendations to build an estate plan that plans for and protects the client and their loved ones. This meeting typically runs one to two hours with clients.

While this is occurring, the asset information you provided to us is being reviewed and inventoried. This asset inventory helps to identify important planning options and design considerations. The inventory is also a useful tool for us to plan the steps necessary to properly title assets or designate beneficiaries.

Estate Plan Drafting

It will take us approximately 3-4 weeks to draft your estate plan. Why so long? Any well-designed estate plan will be unique and specific to your circumstance and your assets. Custom drafting takes time. We also have at least two sets of eyes reviewing every estate plan. During this 3-4 week period, you also have time to make adjustments to your estate plan or make final decisions on any pending issues from our initial estate planning meeting.

Reviewing Drafts

Signing Meetings are almost always done on Wednesdays. Therefore, Review Meetings are either done on the Thursday or Monday immediately prior to the scheduled Signing Meeting. Otherwise, we present the drafts at the Review Meeting for your review, comment, and approval that they express your wishes properly. All client edits must be submitted by 9 am the Tuesday before the Signing Meeting.

As a practice, we do not send draft document to clients. We do understand, however some clients like to take their time reviewing each provision in detail. In such instances, clients



must have paid their entire quoted fee prior to the receipt of their drafts. Also, we only send PDFs of the draft document because each document is copyright protected.

Signing Meeting

The day is here. You have reviewed the estate plan, made any final adjustments, and are ready to sign the estate planning documents. You will need to bring your ID because many of your documents will need to be notarized or witnessed. Within hours after you execute your documents, you should have access to them electronically in your cloud account. We will also share them with whomever else you authorize. After we record your Will for Safekeeping (in Maryland), you will be notified your documents are ready for pickup. Of course, we can send you the original estate planning documents if you have paid the cost of shipping. Also, mailed original estate planning documents are sent either Signature Required or Hold for Pick-up. Regardless of when and how you receive your actual documents, it is so important to note that once the documents have been properly signed and the meeting concludes, the estate plan is effectively in place.

Funding Your Trust

Just when you thought you were done, in comes the most important part of estate planning, assuming you created a trust, trust funding. This concept is better explained in person, but essentially once your Trust is executed, your assets need to be transferred into your Trust. This final step is extremely important because, without proper trust funding, your estate plan will be ineffective. Failing to properly address title to assets and beneficiary designations after the completion of the estate plan is like purchasing a safe and then leaving your valuable jewelry on top of it. One of the many differences between our firm and other attorneys or online software is that we assist you with transferring your assets to your Trust, including real estate, business interests and financial accounts. Personally, I think it is irresponsible to just prepare the Trust and not assist your client with the funding (or at least ensure the funding has occurred).