

**By Matthew Crider, JD  
Family Wealth Protection Attorney**

Most people start the process of estate planning to deal with “What If”.

**What If** you died and your children were still too young to care for themselves?

**What If** you were no longer physically able to care for yourself?

**What If** you had very specific instructions for how your property should be passed on?

Every person on the planet has an individual list of things they worry about. And those worries are often what drive them to start thinking about estate planning.

Unfortunately, many of these same people go online, find a cheap Will, fill out the form and think they’ve taken care of everything.

Or worse, they believe the myth that a handwritten will is all they need. After all, as long as they tell someone in writing how they want things handled, everything is fine and that’s all they need to do, right?

Wrong.

Either of these choices can create a costly, messy nightmare for the people left behind to deal with and end up doing nothing that you wanted.

### **Let’s Speculate For a Moment:**

Let’s say you’re a young woman, divorced and the mother with two small children, maybe ages 4 and 7. You go online and complete the basic form for a Will leaving everything to your children to be divided equally between them. Does that online site tell you that minors can’t own property or control money?

No.

But you’re not really worried because you really plan to be around at least until your children are grown.

Then you run face first into Murphy’s Law and the worst that can happen does. You get the cancer diagnosis. Good thing you thought ahead and filled out that Will online. Your kids will be okay.

What you don’t know is that because of the way the form you used is worded, your property and money will have to go through probate, the court will have to appoint a

guardian to take care of the assets you left to your children and the court will have to appoint a guardian to take care of the children themselves.

The form you used didn't provide for naming a specific guardian of your choice for your children. But their father has been largely absent since the divorce so you told your sister you want her to take care of your kids. That's all you needed to do, right?

Again, the answer is No.

That may be what you want but it isn't likely. The more likely choice, after a lengthy (and pricey) legal process, is that the father of your children will take the kids (and take control of your assets for their benefit).

Makes you think twice, doesn't it?

## **Estate Planning Isn't a Cookie Cutter Process**

The things you worry about are specific to you.

Your children...

Your property...

Your end of life care...

Your list of concerns is as specific to you as the color of your eyes or the sound of your voice. Why would you use a cookie cutter form to address those concerns? It doesn't make sense but we see it happen every day.

Online form sites don't spell out all the things that can go wrong and all the things you need to think about to ensure that you're actually doing what you intend.

Even if you don't have children, your assets have to be owned in a specific way to protect them and preserve their value for whoever you leave them to. A clear title is not enough.

You don't get a “do over” in planning your estate. Often when the mistakes are discovered, it's too late for you to fix them. Your loved ones are left with the headache of cleaning up the mess instead of being left with what you worked so hard for. Look at the fine print for online legal documents - the sites themselves will tell you they are no substitute for legal advice.

If you really want to save some money, skip the lattes for a year. Don't skimp on your children's future.

Call us to schedule your Family Wealth Planning Session today. Our Family Wealth Planning Session is normally \$500, but this month I've made space for the next two people who mention this article to have a complete planning session with me at no charge. Call today and mention this article.

## **About Matthew Crider, J.D.**

Matthew Crider formed [Crider Law PC](#) in 1999 so he could help individuals and business owners by providing creative solutions and be their trusted advisor and legal counselor. He serves his clients by listening closely to their goals, dreams and concerns and working with them to develop superior and comprehensive estate and asset protection plans. His estate planning practice focuses on preserving and growing wealth by providing comprehensive, highly personalized estate planning counsel to couples, families, individuals and businesses.

