

Palo Alto Family Needs a Trust Review - Use Same or New Attorney?

By Janet Brewer

September 06, 2011

This is the first of two articles on reviewing a trust. In this one I address whether a Palo Alto family with a living trust should have the creator of the trust do the review, or find a different attorney to take a fresh look.

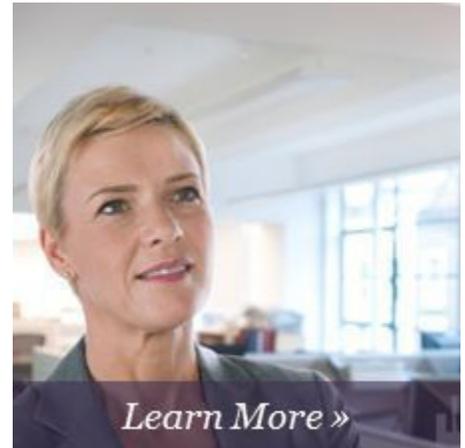
Q: We live in Palo Alto, California and in the 90s our family [chose a Burlingame estate planning attorney](#) to establish a living trust. Now we are trying to verify if the attorney who drew it up really is trustworthy and experienced with living trusts. We need a trust review. Specifically:

- Is it better to go to the same attorney for this "check up" or someone new?
- Since we are asking for a trust review, would the fees be much lower than if we were starting from scratch?

A: You were smart to use an estate planning attorney instead of using off-the-shelf forms or packages from a self-service legal website. You are smart to check and update your living trust, too. Circumstances can change a lot in a short time. In fact, it is a good idea to [do a trust review](#) and update your trust every three to five years.

Vetting estate planning attorneys using Avvo

I am glad to hear that you are vetting estate planning attorneys before hiring anyone. One way to check out a lawyer is to [look on Avvo](#). Search for "estate planning" in the Palo Alto area and see which lawyers' names appear with high Avvo ratings. See if they've answered questions and read the answers to see what you think of their approach.



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Checking out attorneys using the State Bar website

Also [check out the State Bar website](#). Use the "Advanced Search" feature and the "Additional Search Criteria" to find a specialist in Estate Planning law. Less than 1% of all California lawyers are certified as specialists in Estate Planning. In order to be certified, a lawyer has to pass a specialized bar exam and meet rigorous experience requirements.

Also, check out these individuals' websites to see what their [approach is to estate planning](#) to see if you think the "chemistry" will be right.

What you can expect to pay

You get what you pay for! If price is your most important criterion, then skip all of the above and just phone lawyers until you find the one with the lowest price. Just remember, if they don't do it right, it cannot be corrected after you die or become incompetent.

Depending on the complexities of your situation (and whether you're married or single, have children who need to be protected, etc.), an experienced attorney's fees will be anywhere from \$2,000 to \$10,000. As a very rough rule of thumb, figure out your net worth and multiply by 0.10% to 0.25%. That usually approximates the complexity of your estate and the cost of planning for it properly.

For example, if you have an estate worth \$3 million dollars, you should expect to pay between \$3,000 and \$7,500... a little less if your situation is really "plain vanilla"; a little more if it's complex.

Look for the next article on trust reviews

In the next article on trust reviews, tentatively titled "How is Review of a Living Trust Different from Estate Planning?" I'll show an example of what we examine when we do a trust review, and how a trust review differs from creating an estate plan.

Getting legal help

If you are currently working with a highly qualified estate planning attorney that you are comfortable with, it is probably best to continue working with him or her. On the other hand, if you have doubts about the advice you are getting or the experience you have working with the person, it's time to look elsewhere.