



Estate & Business Planning Newsletter

Volume 1, Issue 5

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From the Desk of Rafael Ruano, Managing Associate, Estate & Business Planning Division:

Estate Planning on the Web: Pros and Cons

Whether on the phone with a prospective client or at my son's soccer practice, some of the most common questions I get when I am talking to people about estate planning, are "what about using an online service for a trust?" or "my situation is straightforward and simple, why do I need an attorney?"



These questions are completely understandable as companies like Legalzoom have marketed their ability to help you prepare a complete estate plan for a much smaller fee than what an attorney charges. I find these sorts of questions a great opportunity to explain the value added when I draft a set of documents for my clients.

If a potential client is single, without kids and without assets, they probably don't have a pressing need for an attorney. Then again, they probably don't need an online site either, as a handwritten will is likely to be sufficient. However, if they are married, ensuring that their spouse will be able to make decisions for the other should something happen is not necessarily automatic. If they have children, ensuring that the guardianship provisions of their will are correct is critical. If they have assets above \$100,000, a properly *funded* trust, not just a properly written trust, is necessary to avoid probate and save their family money and time.



The documents I draft for my clients *are* customized to meet their needs and accomplish their goals. The time spent talking with individuals, answering questions, explaining legal concepts and how things actually work when someone gets ill or passes away helps my clients make informed decisions based on personal *and* legal considerations. Additionally, when incidents occur or when there are changes in situations they can return to an attorney and have the documents updated or amended. When a person logs onto a website to draft their estate planning documents, they are met with choices and decisions but have no reliable resource to help guide them.

All of the documents you need can be drafted using Legalzoom or other online sites. However, they very clearly and loudly let you know that they do not stand by the documents and, unless you sue like the people in the article linked below, whether the documents do what you want them to do will only be known when they are needed. If the purpose of the trust is to protect and avoid the unknown, online legal documents end up being the greatest unknown.

In the end, the investment of your time and money to secure your family, assets and your peace of mind, is one that should not be taken lightly. The maxim of “you get what you pay for” is not the entire story. However, each individual and family should take into consideration the hidden cost of an incomplete or unenforceable plan if it is done through an online service without any professional backing.

If you or a loved one are in need of setting up an estate plan, please give us a call or send us an email to get the process started. You’ll be surprised how easy it can be and how much value you will get from us.

If you know anyone that might be interested in this E-newsletter, we would be grateful if you forwarded it to them. If you did receive this from a friend, co-worker or family member, and would like to be on our distribution list, please contact Tiffany Johnson at: tiffany@goyette-assoc.com.

ON THE MOVE!



RAFAEL RUANO & JENNIFER COALSON-PEREZ OF GOYETTE & ASSOCIATES REPRESENTED THE REPRESENTED THE FIRM AT THE TAK RESPONSE CONFERENCE IN SAN JOSE, CA.

CSFA UPDATE – RAFAEL RUANO VISITED THE TRUCKEE FIREFIGHTERS ASSOCIATION AND ATTENDED THE LOS ANGELES FIREFIGHTERS ASSOCIATION MEETING THIS PAST MONTH. OUR MARKETING ASSOCIATE, BRITTANY HAYES, CONTINUED VISITING LAFD STATIONS. OVER THE LAST TWO MONTHS SHE HAS MADE IT MADE IT TO NEARLY EVERY LA CITY STATIONS.

ON OCTOBER 15, RAFAEL RUANO ATTENDED THE CSFA VALOR AWARDS DINNER HELD IN SACRAMENTO. THE EVENING WAS AN INSPIRATIONAL REMINDER OF THE HEROISM AND BRAVERY EXHIBITED BY FIREFIGHTERS, POLICEMEN AND WOMEN, AND AVERAGE CALIFORNIANS EVERY DAY UNDER PRESSURE AND IN DANGEROUS SITUATIONS.

IF YOU WOULD LIKE TO HAVE SOMEONE VISIT YOUR STATION, DEPARTMENT OR ASSOCIATION MEETING, LET US KNOW.

G&A HAS ONLY JUST BEGUN. HELP US HELP YOU! CALL US TO VISIT YOUR STATION!

CHECK US OUT AT: CSFA TRUST.COM

Estate and Business Planning Division, email Managing Associate, Rafael Ruano, at: rruano@goyette-assoc.com or call (888) 993-1600.

Testimonial Time:

Lupí García, San Joaquín County Correctional Officer's Association

"My name is Lupí García, I would like to take this opportunity to advise your readers about the wonderful service of obtaining a "revocable trust" (Living trust) for their estate. I am so relieved and feel

wonderful about having my personal wishes in place, which will automatically be controlled by my designated trustee. I had this completed in 2007 and highly recommend it.



I recently purchased a new home and had it amended to my revocable trust, the process was very simple. I would like to thank Mr. Rafael Ruano of Goyette and associates, for his expertise, immediate attention, and kindness on this matter.

I highly recommend this particular service.”

-Lupí García, San Joaquín County Correctional Officer's Association



What's News in Estate Planning?

Class Claims Legalzoom Is Unfair & Misleading
June 1, 2010- A class action in Los Angeles Superior Court accuses LegalZoom, an online legal document preparation service, of unfair and deceptive business practices. Among other complaints, the lead plaintiff says that LegalZoom claims to "customize" its documents, but the customization is limited to customers' names and identifying personal information.

Katherine Webster sued as executor of the estate of Anthony Ferrantino and trustee of the Anthony J. Ferrantino Living Trust. Webster claims that LegalZoom's website and advertising are premised on the misleading claim that "virtually anyone" can create a valid legal document through the site, and that the "customized" documents made by non-lawyers would be reviewed for "accuracy and reliability," imbuing customers with a false sense of security.

"Nowhere in the manual do defendants explain that using LegalZoom is not the same as using an attorney and that its documents are only 'customized' to the extent that the LegalZoom computer program inputs your name and identifying information, but not tailored to your specific circumstances," the complaint states.

To Read the rest of the article:

<http://www.courthousenews.com/2010/06/01/27694.htm>

If you would like to be dropped from this distribution list, please email Tiffany Johnson at:
tiffany@goyette-assoc.com.

The information and links in the E-newsletter are for informational purposes and should not be construed, in any way, as legal advice to any individual or group of individuals.

Proper legal advice for each individual depends on many factors and cannot be generalized. For a consultation with Goyette & Associates' Estate and Business Planning Division, please email Managing

Associate, Rafael Ruano, at: rruano@goyette-assoc.com or call (888) 993-1600.