



## **The Probate Workbook - Financial & Estate Planning / Wills**

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# The Probate Workbook - Financial & Estate Planning / Wills

## The Probate Workbook - Financial & Estate Planning / Wills

Tip the Scales of Justice in your favor! Protect Your Assets. Keep More Money in Your Estate by following the suggestions outlined in this Workbook.

The Probate Workbook includes Sections covering the topics of Assets: Real Property, Financial Accounts, Insurance, Stocks / Bonds, Vehicles and other Transportation, Personal Property, Trusts / Judgments, Business Ownership; Pets; Liabilities; Final Arrangements; and Definitions of legal terms associated with Probate.

The Probate Workbook is NOT designed to give you legal advice or to take the place of advice by your attorney. The Probate Workbook IS designed to help you compile a comprehensive list of your assets and liabilities to give to your attorney so he/she can draw up a will that will protect your assets at death.

Most people are familiar with Benjamin Franklin's statement: "... in this world nothing is certain but death and taxes." Very few people, however, have any knowledge of the legal procedure of Probate that is associated with death and taxes.

What is Probate?

Probate is the legal term that encompasses the judicial establishing of the validity of a will left by a deceased person and the presentation of this will to a Probate Court. Probate encompasses the dispersal of any assets to the beneficiaries of the will (written instructions to the court and to others as to the respective wishes of the deceased concerning the distribution of his/her assets) and the settlement of his/her liabilities (any debts the deceased may owe at the time of his/her death).

Some people believe that upon their death banks, insurance companies, and any other entity or person(s), which may owe monies to their estates, will willingly come forward to pay the monies owed. This is an erroneous and often costly belief! The only way your estate will get the assets and monies owed to it is if someone (acting on behalf of your estate) contacts the bank, insurance company, etc., and gives specific information about the accounts or other assets due your estate.

Everything in our lives is in a constant state of flux. We do not know what our futures hold. We understand that life itself is uncertain.

In the last few years our world-wide weather patterns have changed dramatically. We have experienced droughts, severe winds and rain, flooding, devastating hurricanes, earthquakes, and tsunamis. The situation in the Middle East is unstable at best and many of our family members and friends are on active duty in countries all over our world. Many of our jobs require long-distance highway travel several times a week. We are on constant alert for possible terrorist threats and we are constantly reminded by the news media that we are at risk of contracting serious illnesses which may prove to be fatal.

Every human over ten years of age understands that he/she cannot escape death. Whether it is from natural causes, plane crashes, car wrecks, freak accidents, terrorist activities, fatal illnesses, or suicide, all living things on the earth cease to live at some point in time. We are mortal beings. We cannot escape the one thing most people fear most -- dying. While no one likes to be reminded of his or her mortality, it is important for each adult to plan, in advance, for the disposition of his/her personal property at death.

The most important thing to remember about estate planning: If you do not take the time while you are alive and in good health to decide how you would like to distribute your personal possessions, including money, you can be assured that the government of the state in which you live will do it for you after your death! The problem - they'll take most of it! And you won't be around to tell them this is not what you wanted!

Hopefully, what you have just read will cause you to take control, take action, and pre-plan for the disposition of your property. No one knows what the future holds. Take charge of what you can - while you can!

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