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10 MYTHS ABOUT WILLS & PROBATE

Myth 10 – I have a Will so my there won't be any probate.

Myth 9 – If you don't have a will, the State gets everything!

Myth 8 – My partner will get all my property even though we aren't married because I've left everything to him/her in my will.

Myth 7 – The best way to make sure my child gets my house when I die is to have a life estate deed.

Myth 6 – I've taken care of my girlfriend because I left her my 401k in my will.

Myth 5 – I know my brother will take care of my minor children so I've made him the beneficiary of my life insurance and my estate.

Myth 4 – My spouse and I are automatically each other's power of attorney and health care surrogate,

Myth 3 – I don't need a will because my spouse automatically inherits everything anyway.

Myth 2 – I don't need a will because my child automatically inherits everything.

Myth 1 – I don't need a will because I'm never going to die.

Does the word “Probate” strike terror in your soul? It doesn't have to be that way. Having helped hundreds of families maneuver through this challenging and often confusing time, we strive to make sure you understand what is happening and why and to bring the estate to closure with the best outcome for all parties involved.

The job of probate is to gather the deceased person's assets, pay the debts that have to be paid from those assets, and distribute the assets to the persons named in the Last Will. If there is no will, Florida law tells which family members have the right to inherit. The law also provides that in most cases, many assets, like the home, are exempt from claims of creditors and can be easily passed to the appropriate family member.

It doesn't have to be a horror movie. If you have questions about probate, please contact our office by phone or email. We would be happy to discuss your situation with you and see how we can help make your situation as simple as possible.