

Estate Planning



PROBATE

Probate is the court-supervised process for identifying and gathering a decedent's assets, paying taxes, debts, and expenses and distributing the balance to beneficiaries.

Probate does not have to be a nightmare. We are here to guide you through this process. We can handle the paperwork necessary to start the process as well as attend the court hearings on your behalf. We will take the stress out of the process so you can focus on your own well being. After the loss of a loved one you are going through enough without the probate process adding unnecessary stress. Call us now to help your family through this difficult time.



TRUST PACKAGE

1. Trust
2. Certification of Trust
3. Assignment of Property
4. Schedule of Assets
5. Deed(s) necessary to add property to trust
6. Pour Over Will
7. Advance Healthcare Directive
8. Durable Power of Attorney



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PROTECT *their*
FUTURE



Estate Planning



DALLARA LAW

Our law office in Simi Valley can assist you with all of your Estate Planning needs. We provide our clients with the tools they need to avoid probate in order to make sure their money and assets go to the people and places they choose. No matter the size of your estate, big or small, we can walk you through the necessary steps that will give you peace of mind.

**Don't Forget About
"The Other Bucket List"**

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Estate Planning



ESTATE PLAN = “THE OTHER BUCKET LIST”

A complete estate plan may consist of a trust, a pour-over will, a power of attorney and an advance health care directive (sometimes called a “living trust”). In order to avoid a lengthy, and likely expensive, process in probate court, and to ensure that your estate (your assets) are distributed according to your wishes, you must establish a trust and/or a will. To avoid having the court appoint a conservator to manage your financial and personal affairs, should you become unable to do so, it is important to appoint an agent to act for you under a Power of Attorney and to designate an agent to make health care decisions. In other words, it is important to plan ahead and establish your... “OTHER BUCKET LIST”.

WILL

If you do not own real estate and if your assets total less than \$150,000, then a simple WILL can be prepared to designate your beneficiaries. Although a handwritten, or self-prepared will may be sufficient, it is advisable to have an attorney help you to be sure it meets the statutory (legal) requirements. Even if you do have a will that meets legal requirements, your executor must go to probate court to confirm the will.

TRUST

To avoid probate altogether, a trust may be established. A trust is especially important if you own real estate or if your assets total more than \$150,000. The trust enables the person you have named as your trustee to distribute your assets according to your wishes, spelled out in the trust, without oversight by the court. Once your trust is established, your valuable assets are transferred into the name of the trust. Included with a trust is a POUR OVER will which ensures that any asset which has not been placed in the name of the trust “pours over” into the trust and are distributed according to the terms of the trust.

FINANCIAL POWER OF ATTORNEY

By naming an agent to act as your Power of Attorney, you designate a person to handle your financial affairs. The Power of Attorney may be effective immediately, or can become effective only at the time it is determined that you are unable to handle financial affairs. You may designate more than one person to act as your agents under your Power of Attorney jointly, or you may designate one person to be your agent and another person to be an alternate. You can give your agent broad authority to manage all of your financial affairs, or you can limit the scope of the agent’s authority. You can designate one agent to handle certain business transactions, and another person to act as your agent with regard to other business transactions.

ADVANCE HEALTH CARE DIRECTIVE

With an Advance Health Care Directive, you outline your wishes regarding health care. Again, the Directive can be effective immediately, or can go into effect once it has been determined by your physicians that you are unable to make decisions on your own. The Directive gives you the opportunity, for example, to decide whether you want extraordinary measures taken so that you can continue living as long as possible, or whether you want no life-prolonging measures taken if your condition is terminal. You can decide whether or not you want your organs donated, and for what purpose. You can specify whether you wish to be buried or cremated, and what type of funeral or memorial service you want to have. Having a health care directive ensures that your family members make decisions according to your wishes. Without a healthcare directive, family members may be in the position of making difficult decisions without the benefit of your feelings or beliefs. Or, it may be necessary for the court to appoint a conservator to make these decisions.

Get Started Today!

Contact us to set up your free consultation.

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