

Commonly Asked Questions

Questions are part of the estate planning process. Feel free to reach out to Atlanta Adoption & Family Law during any part of the process and allow us to help you find answers to your concerns.

1. Do I need to have a large estate to have an Estate Plan? I don't have millions of dollars. Why do I need an Estate Plan? ***An Estate Plan is not only for people with millions of dollars. If you own a home, a car, or even have children, you need an Estate Plan in place. A Will or a Trust allows you to determine what happens to your earnings and belongings when you pass away.***
2. We just adopted a daughter last year. Is she able to be added to our Will? ***Absolutely! While you are able to designate anyone as a beneficiary in your Will, you are always able to add a child, whether they are biologically yours or adopted.***
3. Am I able to update my Will? I no longer talk to the person who I designated to execute it. I'm afraid I'll die, and they won't do what needs to be done. ***Yes! We recommend taking a look at your Will every 3-5 years to make sure you don't need to add any family members that may have not been around when you originally wrote it (children, grandchildren, etc.), as well as updating executors or beneficiaries.***
4. We have a special needs son. What do we need to do to protect our assets as well as his future assets, and make sure he is taken care of if something were to happen to both of us? ***A Special Needs Trust is the best option for you and your son to ensure that all assets are protected throughout his future.***
5. I have a Will but keep hearing that I need a Trust to avoid my family going through Probate. Is this true and why is it beneficial? ***A Trust is a great resource, that allows you to secure your legacy and allows your family to avoid Probate Court. See our "Benefits of a Trust" document to learn more.***
6. If I have children 18 years or older and in college, do they need any Estate Plan documents? ***Yes, they would highly benefit from having a Healthcare Directive and Financial Power of Attorney in place to allow whomever they designate to make healthcare and financial decisions on their behalf if ever needed due to a medical or other reason.***
7. My children already have "God-Parents" if something were to happen to myself and my spouse. Is this enough to make sure my children are taken care of if we are both medically incapacitated or if we both pass away? ***In the event that you and your spouse are both incapacitated and unable to care for your children, you would need a Family Protection Plan, which allows you to designate individual(s) to care for your children temporarily, without a court system or DFACS intervening. In the event that you both were to pass away, you would need to make sure your Will includes designated individuals who you wish to continue looking after your children.***
8. I have a Will from another state. Does it need to be updated in the State of Georgia? ***Not always. Some states have requirements similar to the State of Georgia. Check with an experienced Estate Planning Attorney to review your current Will, and other documents, to make sure.***

Do you have additional questions? Give us a call today! 404-369-4653