Firm's Elder Community Network Highlights Gaps in Missouri Estate Planning

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CHESTERFIELD, MO - September 22, 2026 -
A parent becomes seriously ill without a healthcare directive in place, and family members are left disagreeing over who has authority to make medical decisions. That scenario is one of the situations The Estep Law Firm, LLC, a Chesterfield-based firm handling estate planning, elder law, and probate matters throughout St. Louis County, points to when explaining why healthcare directives and powers of attorney matter as much as a will. The firm's Elder Community Resource Network, an ongoing initiative connecting clients and local families with elder care resources, has surfaced this gap repeatedly as a recurring concern among people who assume a will alone covers their planning needs.

Missouri law treats guardianship of minor children and distribution of assets as separate legal questions, and dying without an estate plan affects them differently. Without a will, a probate court applies Missouri's intestacy statutes to determine how property is divided among heirs. Guardianship of minor children, if both parents are deceased or unable to care for them, is a separate proceeding, and courts generally give weight to any guardian nominations a parent has made in writing, along with other factors bearing on the child's best interest. Neither process guarantees the outcome a parent or spouse might have wanted, which is part of why the firm's attorneys, Shawn Estep and Laura Gonzalez, recommend addressing both issues directly in a plan rather than leaving them to default legal procedure.

Part of the confusion clients bring in stems from a common misconception that estate planning is only for people with significant wealth. In practice, an estate plan covers more than asset distribution. It designates who can make financial and medical decisions if someone becomes incapacitated, names guardians for minor children, and lays out instructions meant to reduce the likelihood of disputes among survivors. A younger couple with a new baby and a modest savings account has as much reason to have these documents in place as a retiree with a larger portfolio, since the stakes for the former often involve who raises their children rather than how assets get divided.

The distinction between a will and a trust is another area where clients frequently arrive with outdated or incomplete information. A will directs asset distribution but generally requires the estate to pass through

probate, a court process that can add time, cost, and public record exposure to settling someone's affairs. A trust, by contrast, can allow assets to transfer directly to beneficiaries outside of probate, which tends to appeal to families who want more privacy or a faster transition during an already difficult time. Which option, or combination of options, makes sense depends on individual circumstances, which is why an estate planning attorney in Chesterfield, MO typically starts with a broader conversation about a family's goals rather than jumping straight to document drafting.

Life changes such as a new marriage, a home purchase, the birth of a child, or the responsibility of caring for aging parents are common prompts for clients to act. The Estep Law Firm, LLC recommends revisiting an estate plan every three to five years, or sooner after a major shift in family or financial circumstances, since documents drafted a decade ago may no longer reflect current wishes, relationships, or Missouri law.

For families in Chesterfield, Des Peres, Kirkwood, and the surrounding St. Louis County area weighing where to start, the firm's attorneys generally recommend an initial consultation to walk through which documents apply to a given situation. For more information, visit esteplawfirm.com.

The Estep Law Firm, LLC is an estate planning, elder law, and probate firm based in Chesterfield, Missouri, serving individuals and families throughout St. Louis County, including Des Peres and Kirkwood, with services covering wills, trusts, powers of attorney, and advance healthcare directives.
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