

Probate Counsel Launches Estate Planning Resources in Coral Gables

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Probate Counsel has launched a set of estate planning resources, including written guides, webinars, and in-person seminars, along with an updated consultation process for individuals and families in Coral Gables and the surrounding Miami-Dade area.

The resources are built around a gap that estate planning attorneys see regularly. Many adults understand that they should have a plan but have never put one in place, and many who have a plan signed it years ago and have not reviewed it since. Marriages, divorces, births, deaths, a move from another state, the purchase of a home, and the growth of a retirement account can all leave an old plan out of step with current circumstances or with Florida law.

The core documents are covered in plain language. A will directs how assets pass at death and names a personal representative, but assets passing under a will generally go through probate. A revocable living trust can hold assets during life and pass them to beneficiaries without probate, but only for assets actually titled in the trust, which is why funding the trust after signing it is as important as drafting it. A durable power of attorney allows a trusted person to handle financial matters during incapacity. A designation of health care surrogate and a living will address medical decisions and end-of-life wishes.

Florida has requirements that residents moving from other states do not always expect. A Florida will must be signed in the presence of two witnesses, and adding a self-proving affidavit before a notary simplifies probate later. Handwritten wills that are not properly witnessed are not valid here. Florida's homestead protections restrict how a primary residence can be left when the owner is survived by a spouse or minor child, and a plan that ignores those rules can have the intended gift overridden. Durable powers of attorney signed in Florida must meet specific execution requirements, and a document drafted under another state's law may not be accepted by every institution.

Seasonal and newly relocated residents receive particular attention in the materials. Establishing Florida domicile involves more than owning property here, and documents drafted in a prior state of residence should

be reviewed rather than assumed to work as written.

The guides also address probate itself, since many families first encounter the process after a death. Florida offers formal administration and a simpler summary administration available in certain smaller or older estates, and the choice depends on the estate's size, the assets involved, and how much time has passed.

On taxes, the resources note that Florida does not impose a state estate or inheritance tax. Federal estate tax applies only to estates above an exemption threshold that has changed repeatedly and may change again, and planning built around a specific figure should be reviewed as the law develops.

The updated consultation process begins with an inventory of assets, how each is titled, and who is named as beneficiary on retirement accounts and life insurance. Beneficiary designations pass outside a will or trust entirely, and outdated designations are among the most common reasons an estate does not go where the person intended. Anyone meeting with a wills and trust lawyer in Coral Gables is encouraged to bring copies of existing documents, recent account statements, and deeds.

This release is general information and not legal advice. Every estate plan depends on individual circumstances and the law in effect at the time, and contacting the firm does not by itself create an attorney-client relationship.

Webinar schedules, seminar dates, and consultation requests with a wills and trust lawyer in Coral Gables are available through the Probate Counsel website.

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