

LAW CLERK

Estate Planning, Wills, Trusts,
and Probate **PROJECTS**



WILL AND ANCILLARY DOCUMENTS

FLAT FEE
\$200

PROJECT DESCRIPTION

I need help drafting a will and ancillary documents for a lesbian married couple in Texas.

PROJECT DETAILS

I am requesting a:

- will
- POAs
- living will
- HIPAA directive

I want to make sure that the documents don't specify "spouse" in case laws change in the near future. If you have experience doing this, please apply. Also, let me know what drafting software you use. I don't need a litigator, just a drafter.

COMMENTS



EXCEEDED EXPECTATIONS

Carrie was very easy to work with and she met my needs in a very timely fashion!

TRUST/ESTATE BLOG POSTINGS

FLAT FEE **PROJECT DESCRIPTION**
\$600

I need six blog postings of 1500 words or more related to current issues in trust/estate law that will be of interest to existing estate clients and referral sources (CPA's, financial planners, other attorneys). I would like three of these geared toward estate planning concerns and three geared toward estate litigation concerns.

PROJECT DETAILS

See above.

COMMENTS



EXCEEDED EXPECTATIONS

Michelle did excellent work for me, which required virtually no editing on my part. I highly recommend her services.

IRREVOCABLE TRUST REVIEW

FLAT FEE **PROJECT DESCRIPTION**
\$1,500

Review of Irrevocable Trusts and Diagram Same.

PROJECT DETAILS

Mara - I will upload about 13 Trusts (some have trustee substitutions so there will be additional docs for these). From a quick review, they appear to be all from the same basic template with some variations for withdrawal rights and distributions - but this was based on a very quick review. I have priced it without having a clear idea of how identical they are. If they vary more than I anticipate and it takes longer than is fair for the cost of the project, we can discuss and I can adjust the cost if appropriate. I am thinking you can start with one or two trusts and summarize and diagram. I can then review and provide comments and edits before you spend time doing all of them, and then post-comment, you can complete the others. I am looking for basics on the trust review (grantor, trustee, beneficiary, distribution provisions for beneficiary and then on death of beneficiary, poas, acctg and reporting requirements, etc.) and then additional provisions that are relevant to the trustee as that is who I represent. I will ask the client for birth dates of all beneficiaries as there should be a place in the summary for birth date since the distributions are tied to age.

COMMENTS



EXCEEDED EXPECTATIONS

I enjoyed working with Mara. She was responsive and produced the documents I was looking for on time!

REVIEW OF FINANCIAL RECORDS FOR 2 YEAR PERIOD AND PREPARATION OF INFORMAL ACCOUNTING

FLAT FEE PROJECT DESCRIPTION

\$400

Review of bank account records and prepare schedules in excel that summarize the multiple bank accounts and the receipts and disbursements in each account.

PROJECT DETAILS

I have been appointed the Guardian Ad Litem for a proposed ward to represent the best interests of the proposed ward. The Court has tasked me with reviewing financial records of the proposed ward for the past 2 year period. The Power of Attorney for the Proposed Ward has had access to the financial accounts and has been responsible for the past years for managing the financial accounts. I need assistance reviewing the financial records and preparing schedules for each of the accounts.

COMMENTS



EXCEEDED EXPECTATIONS

Lights out, amazing product! Tomas went above and beyond the data entry project and provided valuable insights into the financial accounts. Tomas was on time and on point!

MEMORANDUM REGARDING GIFTS

FLAT FEE PROJECT DESCRIPTION

\$250

I need a memorandum detailing the law of gifts in the State of Nevada, as well as an application of that law to the facts of the case.

PROJECT DETAILS

I need a summary of the essential elements of the law of gifts in Nevada. This will entail research of Nevada Supreme Court case law to show what is necessary to prove that a gift has been completed and also to inform as to when a completed gift might be able to be undone by the grantor of the gift. Upon selecting the Lawclerk for this project, I will provide a brief summary of the essential facts of my case and will want a brief summary of how the law of gifts in Nevada might apply to my case. The basic fact is a daughter gifting her interest in a financial account (that she owned jointly with her father) to her father's trust.

The most important aspect of this project is the basic summary of the law of gifts in Nevada, not the application to my case. I can apply the law to my case, but I would like another take on it as well, but don't get lost in the weeds trying to apply to my case. I need the law most of all.

COMMENTS



EXCEEDED EXPECTATIONS

Ramona prepared a well-organized, well-written, and concise memorandum of law that answered the job request perfectly.

ESTATE PLANNING RESEARCH

FLAT FEE PROJECT DESCRIPTION

\$100

I need to know the best estate vehicle/document to manage a rental property when testator does not want the property sold and wants the property to remain in the family through generations. Or in other words, can the testator even do this and/or control the sale of the property after death and how? If not, can we make it so that all children have to agree to sell the property unanimously or something similar. I was thinking revocable trust or LLC with operating agreement, although there may be a mortgage on the property and we don't want to prompt due on sale. Thank you!

PROJECT DETAILS

I anticipate a short memo for someone in this practice area in NJ shouldn't take more than one hour.

COMMENTS



EXCEEDED EXPECTATIONS

Great job! The memo I requested was on point, detailed and gave extra cautionary instruction that was really helpful. Quick turnaround and exactly what I needed. I am very satisfied with this project outcome. Thank you Kingsley.

ESTATE PLANNING RESEARCH AND DRAFTING

FLAT FEE PROJECT DESCRIPTION \$300

Prepare memo re: best course for estate planning based on specific set of facts. Prepare revocable trust based on circumstances. This project will require knowledge of property and business transactions as there are personal, rental and investment properties and businesses involved. There are issues related to spouse, step-children, etc so someone familiar with these complexities is a must.

PROJECT DETAILS

Draft revocable trust under PA law with a number of properties, businesses and blended family issues. Value of properties/businesses less than 2 mil.

COMMENTS



EXCEEDED EXPECTATIONS

Great communication and motivation to meet expectations. Chris was very patient as I had to extend deadlines. Overall good experience and appreciated the assistance with this estate planning document (revocable trust).

UTAH - TRUSTOR'S INTENT

FLAT FEE PROJECT DESCRIPTION \$300

Trustor established a trust that provides certain specific gifts to an individual beneficiary. All of the gifts were related to a farm. A specific parcel of real property used in the farm was not identified. Beneficiary is now claiming that the trustor "intended" to give him the property as part of the farm. I need a research memorandum detailing the elements and burden of proof in Utah necessary to establish intent when a gift is not specifically called out in a will or trust.

PROJECT DETAILS

I would estimate that the time involved in a research memo of this nature is 2 to 4 hours depending on the skill level of the person involved.

COMMENTS



EXCEEDED EXPECTATIONS

Megan was very diligent and made sure she had a thorough understanding of my needs on the project. She was very conscientious about doing a good job. She is already very knowledgeable about trust and estate matters. I would highly recommend her and will use her again in the future.

CREATE WORKABLE WORD FORMS FOR PROBATE

FLAT FEE PROJECT DESCRIPTION \$250

Typing Project - MT Probates

PROJECT DETAILS

I need a packet of scanned documents retyped into workable Word documents for my form bank. I have a few dozen forms, but I need them all retyped with my specific firm information and blanks for completion.

COMMENTS



EXCEEDED EXPECTATIONS

Such a great person to work with! Robert was laid back, but knew exactly what I needed when he applied for the project. He was able to get everything completed for me in record time and had no problem doing any editing. He was communicative and fun to work with. I will absolutely hire him again if I get the chance.

ESTATE PLAN

FLAT FEE
\$1,250

PROJECT DESCRIPTION

I need an opposition to a Motion for Reconsideration and in the Alternative to Modify an Order of the Court.

PROJECT DETAILS

An heir is residing in estate property and will not vacate. She lived with her decedent mother and is one of several heirs.

The court removed her as Personal Representative at the request of my clients, ordered her to pay a monthly rent last August 2018 and in May 2019 ordered to vacate the property.

She has not vacated the property nor paid rent. Her attorney has filed a Motion for Reconsideration.

The main issue to address in the opposition is that the D. C. Probate Court has the authority to order persons to vacate estate property. I believe a law was passed that estate property (if it's a single family home) is exempt from Landlord and Tenant Court. I'm not sure it is in effect yet.

The attorney for the movant claims that her client is disable. There is no evidence on record that she is disabled.

We need to assert, through statute and case law, that the Probate Court has full authority to order the removal of persons with respect to estate property.

It is also important to state the record of contempt opposing party has for the court in failing to pay rent and refusing to vacate estate property.

COMMENTS



EXCEEDED EXPECTATIONS

Raymond drafted an opposition to a Motion as though he and I had discussed the case as colleagues. He addressed the main issue with a full background explanation and analyzed each case cited by the movant, clearly setting out why opposing counsel cited cases inconsistent with the court's ruling. One of my concerns was that the judge would appreciate, if the other side appealed, that my office would engage in comprehensive and sound research in support of his ruling. I am confident that this judge knows from the opposition that a good job was done supporting his ruling. As a solo practitioner, it is a relief to have this resource and a huge savings for my clients.

SUMMARY PROBATE

FLAT FEE
\$650

PROJECT DESCRIPTION

Summary Probate Packet to open Estate

Initial Petition for Letters of Summary Administration
Notice of Hearing
Affidavit of Mailing
Order for Letters for Summary Administration
Notice of Entry of Order
Letters of Summary Administration
Nomination of Co-Administrator
Civil Cover Sheet
Notice to Creditors

PROJECT DETAILS

Summary Administration packet to open estate.

COMMENTS



EXCEEDED EXPECTATIONS

Michelle communicated very well and was very responsive. This was our first matter together and the final drafts needed little editing. I look forward to continuing to work with Michelle on additional matters.

PROPOUNDING DISCOVERY

FLAT FEE
\$300

PROJECT DESCRIPTION

I need to propound discovery in a probate matter.

PROJECT DETAILS

Draft special interrogatories, form interrogatories and requests for production in a dispute over real properties in a probate matter.

COMMENTS



EXCEEDED EXPECTATIONS

Jennifer did a prompt and thorough job!

ESTATE PLAN

FLAT FEE \$415 PROJECT DESCRIPTION

I need a California Declaration of Trust for a husband and wife that contains provisions for management of trust assets during the lifetime of both settlors - through the last to die, and for distribution to their children upon the passing of the last settlor to die.

I also need a California Advance Health Care Directive and Durable Power of Attorney prepared individually for husband and wife with a separate end-of-life directive and specific HIPAA waiver / release of information.

PROJECT DETAILS

For someone who has a good template, it should not take more than an hour to prepare these documents.

COMMENTS



EXCEEDED EXPECTATIONS

Madison did a fantastic job in a very short amount of time. After reviewing the finished product, her work needed essentially no editing or revising by me. It was perfect.

LETTERS OF ADMINISTRATION

FLAT FEE \$270 PROJECT DESCRIPTION

Letters of Administration, Surrogate Court, Bronx NY

PROJECT DETAILS

New York Letters of Administration in Bronx County to be prepared by you and issued by the Surrogate's Court to permit my client to be named as P on a wrongful death case brought on behalf of her Mom who died intestate.

COMMENTS



EXCEEDED EXPECTATIONS

Diana is very smart, took a real "Go Getter" approach to the project, and had many useful insights. I would highly recommend her!!

DRAFT BENEFICIARY AGREEMENT FOR TRUST BENEFICIARIES

FLAT FEE \$300 PROJECT DESCRIPTION

I need a beneficiary agreement between a mother and her three children. In essence, mom and dad had a trust. Dad died. Trust is very outdated and becomes 100% irrevocable upon dad's death. Mom wants to make updates to her trust. All three kids have given preliminary agreement to allow mom to terminate old trust and create a new trust.

PROJECT DETAILS

Need someone experienced with trusts in community property states. I have a letter that was sent to the beneficiaries that outlines key facts that can easily be converted to a formal agreement. I also have a sample beneficiary agreement that I can provide you. I estimate this project will take 2-3 hours.

COMMENTS



EXCEEDED EXPECTATIONS

Julianna was great to work with. She was professional and prompt with her communications. I will definitely work with her again. The agreement needed very little edit.

WRITE ARTICLE ON "CAN A TRUST PROTECT ME FROM A LAWSUIT?"

FLAT FEE PROJECT DESCRIPTION

\$600

Write a 3,000 word article answering the question "Can a trust protect me from lawsuits?"

PROJECT DETAILS

I suggest breaking it into the following subparts. (I'm including internet websites to help point you in the right direction.)

1. Intro: Self-settled trusts (generally no asset protection, though some states claim to give protection) vs. offshore trusts (protection, but risk of being held in contempt and going to jail) vs. revocable trusts (no protection for settlors, but can give protection to successor beneficiaries if properly drafted) vs. irrevocable trusts for benefit of another (can offer protection if certain language included) vs. Special Power of Appointment Trust (strong protection).
2. Discuss self-settled trusts (domestic asset protection trusts). For problems with these, <https://www.assetprotectionatty.com/541-trust/better-than-a-dapt/>
3. Discuss offshore trusts. For problems with these, see <https://www.assetprotectionatty.com/541-trust/better-than-an-offshore-trust/>
4. Discuss revocable trusts. <https://www.schomerlawgroup.com/blog/asset-protection-planning/revocable-trusts-provide-asset-protection/>
5. Discuss irrevocable trust for benefit of another.
6. Discuss Special Power of Appointment Trust. <https://assetprotection.com/asset-protection-trust/spa-trust/>

If you get stuck on something, I can email you pages from some legal resources I have. For example, I have the \$7,000 LexisNexis treatises called Debtor-Creditor Law.

COMMENTS



EXCEEDED EXPECTATIONS

What Beckett wrote was well-researched and exactly what I needed.

MOTION FOR RECONSIDERATION

FLAT FEE PROJECT DESCRIPTION

\$1,000

I need a motion for new trial and rehearing filed after a summary judgement issued without court hearing. Initial papers were filed by a pro se. I have been provided medical records showing the decedent had serious brain atrophy. However, the pro se did not respond and received an order of dismissal today.

PROJECT DETAILS

I need the motion; certification; and brief.

COMMENTS



EXCEEDED EXPECTATIONS

She was wonderful and easy to work with. I would definitely recommend Deirdre!

COURT SUPERVISED ACCOUNTING FOR ESTATE

FLAT FEE **PROJECT DESCRIPTION**
\$125

Prepare account schedules for court supervised accounting.

PROJECT DETAILS

Create receipt/disbursement schedules from exported bank transactions in excel and bank statements for time period of October 22, 2018 through October 21, 2019.

COMMENTS



EXCEEDED EXPECTATIONS

Tomas is always timely, follows directions and generates a great work product!

PREPARE DOCUMENT SUMMARY

FLAT FEE **PROJECT DESCRIPTION**
\$400

Prepare summary of trust document and amendments, and prenuptial agreement.

PROJECT DETAILS

H and W created joint revocable trust in 1992. W died and H remarried. H is now incapacitated. I need a summary of the trust documents and prenuptial agreement to determine the rights of the respective parties.

COMMENTS



EXCEEDED EXPECTATIONS

Clear, concise work.

NY WILL & LIEN

FLAT FEE **PROJECT DESCRIPTION**
\$225

Simple Will & Lien.

PROJECT DETAILS

Will: C owns a coop clear in title and no loans. C is borrowing \$xx.xxx.xx from a sibling A. C has other siblings.

P requires a simple will stating in the event of his demise, the apartment is sold and anything still outstanding on sibling A's loan comes off the top of the apartment sale. The remainder of the assets from the apartment sale and any other assets (there are really none), gets split evenly by all surviving siblings.

Lien: Sibling A gets a simple lien on the apartment to protect his loan until the loan is paid off.

COMMENTS



EXCEEDED EXPECTATIONS

Great work.

RESEARCH MEMO RE: RIGHTS TO MONEY DRAWN FROM HELOC

FLAT FEE **PROJECT DESCRIPTION**
\$300

I need a memo analyzing property rights in regards to funds drawn from a home equity line of credit (HELOC) where the line of credit was owned by two parties and one of the parties is now deceased.

PROJECT DETAILS

Lawclerk will need to have access to Westlaw or other research tools. I would like PDFs of any cases included in the analysis. I anticipate this will take 2-4 hours.

COMMENTS



EXCEEDED EXPECTATIONS

Erin did a fantastic job digging into the facts of this case, spotting issues I hadn't already identified, and analyzing the law. I was impressed with her attention to detail. She was professional and a pleasure to work with.

INITIAL DISCOVERY IN A TRUST DISPUTE

FLAT FEE PROJECT DESCRIPTION

\$500

I need initial discovery prepared in a trust dispute. If it becomes too time consuming, I could boost the budget some.

PROJECT DETAILS

Petitioners contend that my client engaged in improper actions and influenced the distribution from an estate. This is a complete falsification and the decedent was competent at the time that he made the dispositive provisions of his trust as shown by a doctor's letter attesting to his competence. I would like to prepare form interrogatories, special interrogatories, requests for production, and requests for admissions as to both petitioners. That would only of course require changing their names in the discovery to be propounded.

COMMENTS



EXCEEDED EXPECTATIONS

Very nice work!

TRUST MODIFICATION

FLAT FEE PROJECT DESCRIPTION

\$400

Review & modification of existing trust to provide for grandchildren.

PROJECT DETAILS

Will provide the existing documents and a list of known/needed changes. Certainly want any input and/or thoughts regarding things I've missed.

The project shouldn't take more than 4 hours to review existing documents, discuss anticipated changes/modifications, draft as necessary and submit for review.

COMMENTS



EXCEEDED EXPECTATIONS

Tim did a great job of drafting a clean, simple document that was legally sound and yet not overly complicated. He did the work well within the expected time frame, answered my questions, and was very easy to work with. In addition, he put up with the foibles of a 1st time Lawclerk user - something I genuinely appreciated.

RESPOND TO MOTION FOR SUBSTITUTION OF PERSONAL REPRESENTATIVE

FLAT FEE PROJECT DESCRIPTION

\$450

I need a memorandum opposing a motion to substitute personal representative. Alleged common law wife has filed a motion to substitute herself as the personal representative. Daughter is personal representative.

PROJECT DETAILS

Additional documents will be provided.

COMMENTS



EXCEEDED EXPECTATIONS

Very well researched and written. Finished on schedule with excellent work.

TRIAL TRANSCRIPT SUMMARY

FLAT FEE PROJECT DESCRIPTION

\$800

Summarizing trial transcripts by issue so I can prepare final post-trial briefs.

PROJECT DETAILS

We had an 8 day trial in probate court. The trials there are generally 1/2 day each. It was transcribed and the transcripts are uploaded in the documents.

I need the transcripts reviewed and references to the transcripts made by issue.

On citing each transcript, day one will be "RT 1 page(s)/line(s)", day two "RT 2 page(s)/line(s)", etc.

The breakdown by issues is as follows (as far as I can recall right now and I may think of more!):

1. What constitutes property of the trust. There was discussion of houses, company, tools, deeds of trust, etc.
2. Delays in the sales of properties caused by my client's sister. This is why the case was filed in the first place (I will include a couple of pleadings that frame the issues as well).
3. Trustee fees and expenses incurred by my client for which he wants reimbursement.
4. The intentions of the decedent, Ken Hooper, as to his estate. My client's sister claims that there was another will/trust that left everything to her which we will argue was the real cause of the case. She never put on any evidence at all of that will/trust. The accepted trust divides the estate equally between my client and his sister.
5. Gift to my client of the IRA. The Dad was competent per my client, Kim Hooper and witness Lynn Delmastro. The competence discussions need to be referenced. Theory being Dad was mentally competent until death so he can do what he wants with his assets.
6. The taxes caused by Dad's gift of the IRA to my client not long before his death.
7. The transfer of the company to my client before Dad's death. Same issue as 5, really.
8. The transfer of the Dad's trusts interest in real property to my client before Dad's death. Same issue as 5, really.
9. There may be a few other transfers before Dad's death. I need those cited as well and what items of property they relate to.
10. If you see other issues in the pleadings I uploaded, please include those as well. As I said, I may think of others and will go over that today.

As an aside, I'd like you to not only cite the RT locations, but also pull the cited portion into your memo. I will upload the text versions of the transcripts along with the PDF's.

COMMENTS



EXCEEDED EXPECTATIONS

Very good work again!!