Estate Planning & Probate

The personal legal services attorneys at Clark Hill handle our trusts and estates practice. Estate planning is more than drafting trusts and wills and handling estates - we counsel you (and your family) and present practical plans and suggestions for the preservation and the tax-sensitive distribution of your assets to your beneficiaries. We have extensive experience with the complex tax and probate laws which apply to your situation and take pride in our ability to explain practical and understandable solutions for your individual situation. We are sensitive to the specialized needs of seniors, and those who are unable to handle his or her affairs because of immaturity or incapacity. When disputes arise, we act as mediators and arbitrators, or when necessary, we aggressively litigate and advocate your position through the trial and appellate courts. We always keep in mind that in family situations, a solution reached among the parties outside the courts is often the best long-term solution. We are experienced estate planners, tax planners and trial attorneys. Members of our group are well respected in both the public and private sector, and we are often consulted by and hired by other attorneys for our proficiency. Collectively we have over 200 years of experience at what we do.

The Estate Planning Process

Estate planning is a very personal process and an important part of planning for the future for you as well as your family. We are sensitive to the emotional aspects of estate planning and are confident our methods and explanations will make the entire estate planning experience satisfying.

Estate planning commences with an initial discussion of your estate planning objectives and a confidential analysis of present and future assets, liabilities, income, and expenses. Detailed consideration is then given to family considerations as well as to tax and probate ramifications; we also include a calculation of estimated federal estate taxes, state estate and inheritance taxes, gift taxes and income tax consequences.

After our analysis and discussion, we present a proposed estate plan including drafts of various estate planning documents. These documents typically include a Will, Trust, Durable Power of Attorney, Designation of Patient Advocate (for health care decisions) and Medical Record Authorization forms to comply with Federal privacy rules. The plan may also include additional documents depending upon your circumstances and objectives such as an irrevocable life insurance trust, or other specialized techniques discussed below. Our goal is to help you achieve your objectives for the preservation and distribution of assets to your family while minimizing taxes and other administrative expenses (probate).

To assist you in commencing the estate planning process, an Estate Planning Information Questionnaire is available for your use:

Estate Planning Questionnaire

Understandable Estate Planning Documents

We draft our wills, trust agreements, durable powers of attorney, designations of patient advocate and other estate planning documents so they are understandable to you yet effective in implementing the personal planning and tax strategies in your estate plan. We are often asked to provide speakers at statewide legal education seminars on the topic of how to draft clear, concise estate planning documents.

Leadership and Reputation

Clark Hill is a leader in the area of trust and estate practice with a reputation for applying the latest estate planning knowledge and techniques tailored to meet your objectives and your individual family and financial situation. We are active in, and hold leadership positions with state and national organizations that are in the forefront of developments in the estate planning, probate, and tax areas. We are frequently asked to share our knowledge

Tax & Estate Planning Leaders

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Tax & Estate Planning Areas of Practice

Elder Law
General Tax Planning
Guardianship & Conservatorship Administration
Guardianship & Conservatorship Litigation
International Tax
State & Local Tax
Tax Controversy & Litigation
Tax Exempt and Charitable Organizations
Trust, Estate & Fiduciary Litigation
Wealth Transfer & Business Succession Planning

and experience at seminars for other lawyers, law students, and community groups and other gatherings. We represent a wide range of clients in trust and estate planning matters.

We are often involved in the legislative process, including drafting estate planning, probate and tax legislation, and analyzing proposed legislation.