



**OWM NEWSLETTER
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ATTORNEY SPOTLIGHT

REBECCA A. HOBBS



[Rebecca A. Hobbs, Esq., CELA](#), is an associate attorney with the law firm O'Donnell, Weiss & Mattei, P.C. She is a Certified Elder Law Attorney (CELA) by the National Elder Law Foundation as authorized by the Pennsylvania Supreme Court. Ms. Hobbs focuses her practice in elder law, special needs planning, estate planning, estate and trust administration, and Veteran's benefits. Ms. Hobbs is accredited as a United States Veterans Administration Attorney. She is also a member of the National Academy of Elder Law Attorneys (NAELA) and the Pennsylvania Association of Elder Law Attorneys (PAELA). She is an active member of the Montgomery County Bar

Five Dangers of DIY Estate Planning

In a society empowered to do-it-yourself ("DIY"), we turn to social media and an overwhelming number of websites and blogs to get step-by-step instructions on how to save money by doing it ourselves. In this environment of DIY, sometimes it can become unclear as to when a professional is required, and when we can save money by figuring it out ourselves. I will admit that a good DIY project excites me; however, there are certain undertakings that even the bravest of do it yourselfers will admit are off limits. What surprises me is how blurry the line has become between saving money and taking risks that can backfire and become very costly. As a professional that has seen many DIY estate plans go wrong, I consider DIY estate plans one such risk that can backfire and end up causing costly mishaps. I am a proponent of self-education, but it is important to understand that researching estate planning online may give you some good general information; however, filling out a fill-in-the-blank Will or Power of Attorney form without consulting an attorney licensed in your home state is hazardous. Based on my experience of seeing these various DIY estate plans, I have compiled a list of the Five Dangers of DIY Estate Plans:

- 1. One-Size Does Not Fit All.** The DIY estate planning services and documents do not take into account each individual's personal circumstances. Your estate plan should be customized to you. You might not realize all the options available. An attorney can help guide you on the best way to accomplish your goals in your plan.
- 2. Cost.** While you may feel like you are saving money by using an online service to create your own estate planning documents, you may actually end up spending more. A primary issue with many of these fill-in-the-blank forms, and DIY estate plan services, is the plan is not implemented properly. It can actually cost much more to correct the estate plan than it would have been to retain the services of an attorney to prepare the plan the right way from the beginning.
- 3. Expertise of an Attorney.** Each state has very specific rules on what needs to be included in estate planning documents and how the documents need to

Association and the Pennsylvania Bar Association (PBA). She serves on the PBA Charitable Organizations Committee and the PBA Legal Services to Persons with Disabilities Committee. She is also a graduate of the Tri-County Chamber of Commerce Leadership Class of 2013-2014. As an elder law attorney, Ms. Hobbs is able to provide exceptional legal guidance while also understanding the sensitivity and compassion needed for assisting families in a time of crisis. Ms. Hobbs resides in Phoenixville with her husband and two children.

Phone: 610-917-9347

Fax: 610-917-9348

Email: rhobbs@owmlaw.com



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be executed, and the failure to abide by the signature and notary requirements could invalidate the document. You may not understand the terms and legal language used in the document. One small mistake, omission, or misuse of a legal term and you could disinherit a grandchild, child, or even your spouse.

4. Counseling. An attorney provides more than just the expertise of drafting a properly executed estate plan. Often the estate planning attorney will provide guidance and counsel when making personal decisions such as who to name as the guardian for your minor children, or who to select as your agent under your power of attorney. A fill-in-the-blank form is not going to be able to determine the best way to implement your intentions or provide guidance on these intimate decisions.

5. Estate Planning Is More Than Documents. Estate planning involves not only the drafting and execution of documents, but also the coordination of assets and beneficiary designations. You may think that you have a "simple" estate; however, an attorney can sort out the various factors that may require a more complex estate plan, such as a child that has a disability, a second marriage, real estate owned outside of Pennsylvania, or business ownership. Further, an attorney will have the expertise to provide tax planning and explain the tax implications of your estate plan.

Initially, hiring an attorney may cost more than preparing your own estate plan, but the consequences of an improperly drafted plan can cost significantly more in the long run. DIY estate planning documents are likely to be filled with errors, which can cause an estate plan to ultimately be litigated in Court. If you have created your own estate plan without the advice of an attorney, please contact our office to schedule a time to review the documents. If you are debating creating your own estate plan, please make sure to read the fine print and realize that DIY estate planning is one risk you should not take. Please contact me at (610) 323-2800 or via e-mail at rhobbs@owmlaw.com if you have questions or would like to schedule an appointment. Also, please watch OWM's April 2017 Legal Talk program regarding Why Estate Planning is Necessary for Everyone on our website [here](#).

Upcoming Events

[David A. Megay, Esq.](#), speaking at Chester County Night School Seminar at Owen J. Roberts Middle School, Pottstown, PA, on 4/25/17 from 6:30 p.m.-8:30 p.m. entitled "Buying and Selling Real Estate in PA" (contact Chester County Night School at 610-692-1964 or online at www.chestercountynightschool.org).

[Kathleen M. Martin, Esq.](#), speaking at Chester County Night School Seminars at Owen J. Roberts Middle School, Pottstown, PA, on 4/11/17 from 7:00 p.m.-8:30 p.m., entitled "Unique Needs of Aging Adults: An Elder Law Perspective"; and on 4/25/17 from 7:00 p.m.-8:30 p.m., entitled "Beyond the Simple Will" (contact Chester County Night School at 610-692-1964 or online at www.chestercountynightschool.org).

[Rebecca A. Hobbs, Esq.](#), hosting a table at the Phoenixville Hospital's Healthy Woman 10th Anniversary Celebration at Rivercrest Golf Club on 5/1/17 from 4:00p.m.-8:00p.m. at Rivercrest Golf Club, 100 Golf Club Drive, Phoenixville, PA, featuring a health expo, dinner and keynote presentation by Lisa Scottoline. Fee is \$50.00 (includes expo, dinner, speaker and book). For more information or to register, please click [here](#).

The Alzheimer's Association is giving a workshop on "Understanding and

Responding to Dementia-Related Behavior" at Chestnut Knoll Personal Care, Boyertown, PA, on 5/4/17 from 6:30 p.m.-8:00 p.m. Register by 5/1/17 at 800-272-3900 or Sharon.jarnette@alz.org.

[Kathleen M. Martin, Esq.](#), and [Rebecca A. Hobbs, Esq.](#), hosting a table at the Healthy Lifestyles Expo at Sunnybrook Ballroom, Pottstown, PA, on 5/5/17 from 9:30 a.m.-1:30 p.m., which is sponsored by TriCounty Community Network. [Kathleen M. Martin, Esq.](#), will be giving a workshop on "Five Money Mistakes Made By Seniors." There is no need to register (see www.tcnetwork.org for more info).

Watch Legal Talk, brought to you by OWM, on PCTV, Tuesdays at 8:30 on Channel 28, and Thursdays at 9:30 p.m. on Channel 98, or on our website [here](#).

Read Legal Ease every first and third Sunday in the [Pottstown Mercury](#).

O'Donnell, Weiss & Mattei, P.C.

41 E. High Street
Pottstown, PA 19464
610-323-2800
Fax: 610-323-2845

347 Bridge Street, Suite 200
Phoenixville, PA 19460
610-917-9347
Fax: 610-917-9348

www.owmlaw.com