

# What Happens Without an Estate Plan?

Understanding the real financial, legal, family, and business consequences of dying without a plan.

## What's Inside

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1. The Default: Intestacy Laws
  2. What Probate Really Looks Like
  3. Financial Consequences
  4. Family Consequences
  5. Business Consequences
  6. Real-World Scenarios
  7. The Cost of Not Planning
  8. What a Complete Plan Includes
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## The Default: Intestacy Laws

If you die without a will or trust, your state's **intestacy laws** determine who inherits your assets. You have no say. The court applies a rigid formula based on your marital status and blood relatives:

- Married with children: spouse may receive only 50% (varies by state)
- Unmarried with children: children inherit everything equally
- No spouse, no children: parents, then siblings, then extended family
- Unmarried partners receive nothing — regardless of how long you were together
- Stepchildren receive nothing unless legally adopted
- Friends, charities, and chosen family receive nothing

*Intestacy laws were written for the average situation. They do not account for blended families, estranged relatives, business partnerships, charitable intentions, or the specific needs of your children. The state decides. Not you.*

## What Probate Really Looks Like

Without a trust, your estate enters probate. Here is what your family will experience:

**Month 1-2:** A family member petitions the court to be appointed administrator. If there are disputes about who should serve, the court decides. Filing fees and attorney retainers begin immediately.

**Month 3-6:** The administrator inventories all assets, notifies creditors, and publishes a public notice. Anyone with a claim against the estate can file. All debts must be settled before any distribution to family.

**Month 6-12:** The administrator files tax returns, resolves creditor claims, and prepares an accounting for the court. If any family member objects to anything, litigation begins — extending the process by months or years.

**Month 12-18+:** After all debts, taxes, attorney fees, and court costs are paid, remaining assets are distributed according to state law. The entire proceeding is public record.

## Financial Consequences

Cost	Typical Range	Notes
Attorney fees	3-7% of estate value	Can exceed \$50,000 on a \$1M estate
Court costs	\$1,000-\$5,000	Filing fees, publication costs, bonds
Administrator fees	2-5% of estate value	Paid to the person managing the estate
Lost asset value	Varies widely	Properties sold quickly, businesses lose value
Tax inefficiency	Varies	No tax planning = maximum tax exposure

## Family Consequences

Beyond financial cost, dying without a plan inflicts emotional damage on your family:

- **Family conflict** — siblings, spouses, and extended family fight over assets, creating permanent rifts
- **Guardian uncertainty** — if you have minor children, the court chooses their guardian. Not you.
- **Public exposure** — your assets, debts, and family disputes become public record for anyone to view

- **Delayed access** — your family cannot access bank accounts, pay the mortgage, or manage bills during probate
- **Emotional burden** — grief combined with court appearances, paperwork, and financial stress

## Business Consequences

For business owners, dying without a plan is potentially catastrophic:

- No one has legal authority to operate the business
- Bank accounts may be frozen pending court appointment of an administrator
- Employees, clients, and vendors face uncertainty
- Partners may have contractual rights that conflict with family interests
- The business may need to be sold at fire-sale prices to pay estate debts
- Years of built value can evaporate in months

## What a Complete Plan Includes

A comprehensive estate plan eliminates every risk described above. At minimum, it should include:

- **Revocable Living Trust** — avoids probate, maintains privacy, enables seamless transfer
- **Pour-Over Will** — catches any assets not in the trust
- **Financial Power of Attorney** — authorizes someone to manage your finances if incapacitated
- **Healthcare Directive** — communicates your medical wishes
- **Trust Funding Guide** — ensures assets are properly titled in the trust
- **Beneficiary Designation Review** — aligns all accounts with your plan
- **Certificate of Trust** — provides proof of trust existence to institutions

For business owners, entrepreneurs, and high-net-worth families, additional layers — asset protection trusts, holding companies, entity structuring, and UCC filings — may be warranted.

## Ready to Protect Your Legacy?

Schedule a complimentary strategy session with our advisory team.

During your consultation, we will:

- Review your current estate structure and identify gaps
- Discuss your family, business, and wealth protection goals
  - Outline a custom strategy tailored to your situation
  - Provide clear pricing with no hidden fees

No obligation. No pressure. Just clarity.

→ **BOOK YOUR COMPLIMENTARY CONSULTATION**

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### Who This Is For:

Entrepreneurs, business owners, medical professionals, real estate investors, high-net-worth families, and anyone serious about protecting what they've built and ensuring a lasting legacy.

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