Choosing an Estate Planner

Three Critical Things to Look for in an Attorney

You are thinking that you should get a Will or a Trust or a Power of Attorney but don't know where to start. How do you find the right lawyer to help you?

We suggest you look for these three traits in the attorney you work with:

1. **Education;**
2. **Expertise; and**
3. **Enthusiasm—yes, enthusiasm! (But more on that below.)**

Education. This seems like an odd thing to look for in a lawyer, right? All lawyers have a law degree and have passed a bar exam so aren't they all the same? Well, not exactly. Let's look at another profession to understand what we are talking about – doctors.

All doctors have a medical degree and have passed some qualifying exams. But from there a doctor's career path typically becomes very specialized. What this means from a practical standpoint is that if you have a heart issue you don't go to see a urologist. You look for a doctor with the special education (and expertise, but we are getting ahead of ourselves) for that issue.

Well lawyers have a similar path to specialization but primarily with education and experience, not a board certification. As with specialized doctors, you should not go to a tax lawyer for a criminal case, or vice versa. But when you look at the large number of attorneys out in your community you see lawyers who say they can do anything and everything you need. The obvious question to ask yourself is this—can a general practitioner really know all of the essential issues to a specialized problem?

Education is one of the main ways attorneys can distinguish themselves from other attorneys who have a general practice. Specialized education in complex areas of law makes a difference. It is very hard to be a "jack of all trades" but with education you can truly become a master of one (or some).

When you are looking for an attorney to help you with your estate planning needs you should see if that attorney has any relevant education such as an advanced degree, a certification, or a specialization relevant to estate planning. This can distinguish that attorney from the general practitioner down the street.

Expertise. Beyond specialized education (or "book learning" as a grizzled Navy Sailor once told me I had), an attorney can develop an expertise in certain areas of the law by working with an experienced mentor, by becoming part of a specialized legal network, or simply by working with clients over time and learning by doing. Is there any real value in expertise? That question kind of answers itself but let's look at medicine again for an example. Would you rather have open heart surgery from a doctor who has done 6 similar surgeries or one with 60, or 600?

An attorney with expertise in estate planning can guide clients to the right solution for them, not just a generic one size fits all plan. Knowledge of the planning issues with income and estate taxes or the complexity of dealing with blended families or how best to address the needs of a client in the early stages of dementia can be invaluable to the client.

One final point on expertise. I don’t know about you, but I don’t think I have ever heard anyone refer to the need to call in a panel of inexperienced folks to resolve a complex problem. It is always a call out to the experts. The same should be true for the complex issues of estate planning.

Enthusiasm. Okay, so why do we say your estate planning attorney should be enthusiastic about what they do? Let’s face it, estate planning deals with less than fun life topics. In our office we call them the **4 D’s—Disease, Disability, Dementia, and Death**. Not fun, but real, and really important. There is a **5th D** as well—**Denial**! Estate planning attorneys have to help their clients work through these challenging topics but generally have to start with the 5th one and convince clients that not talking about these things does not make them go away.

So back to enthusiasm. One definition of enthusiasm is a ***“feeling of energetic interest in a particular subject or activity and a desire to be involved in it.”*** In general, don’t we like working with people who like what they do and have a desire to do what they do? It just makes the experience that much better.

How do you assess whether an attorney is enthusiastic about estate planning before you meet with him or her? That can be difficult but here are a couple of suggestions that may help. The first is whether they advertise that estate planning is a core (or even sole) practice area for their firm. Or is it way down the list of various other legal matters such as litigation, business planning, divorces, personal injury, etc. This goes back to the “jack of all trades” idea vs. a specialist. Another distinguishing feature that shows enthusiasm is membership in an organization or legal network of other estate planning practitioners. This is an indicator that the attorney is making an investment in time and money for this practice area and clearly has a desire to be involved in it. It kind of comes down to -- it’s not what they say, but what they do -- that shows whether the attorney has a genuine interest and enthusiasm in this challenging practice area.

So there you have it—three criteria you can look at before even meeting with an attorney to assess whether he or she or they are the right fit for your estate planning needs. Do they have the right mix of education and expertise and a genuine “energetic interest” in estate planning that distinguishes them from the competition? If so you might want to make their office the first stop.

REILLY LAW, PLC
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How Does Reilly Law, PLC Rate?

We put ourselves to the three-part test and think we do pretty well.
See what you think.

1. Education.

- ☑ George Reilly has a Juris Doctor degree as well as a Master in Laws (LL.M.) with a concentration in Taxation and Estate Planning.
- ☑ He is also a Certified Financial Planner™ Practitioner (CFP®). Fewer than 3% of all CFPs are attorneys.
- ☑ He has taught estate planning and tax topics to hundreds of military attorneys – and IRS employees, as well as retirement and other seminars.

2. Expertise

- ☑ George Reilly has been an attorney for 32 years; 20+ of which he was a Navy Judge Advocate.
- ☑ A significant part of George’s Navy career involved estate planning, income tax, and related matters.
- ☑ He has published articles on various tax and estate planning topics and has been quoted in a number of newspaper and magazine articles.

3. Enthusiasm

- ☑ Estate planning or, as we prefer to call it, Peace of Mind Planning, is all we do. We don’t chase ambulances, try cases, or handle divorces.
- ☑ We are proud to give our clients exceptional service. It is very rewarding when a client tells us they have achieved peace of mind.
- ☑ We belong to the nationwide WealthCounsel Network of estate planning attorneys and have access to like-minded colleagues everywhere.

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