How can I learn more about Stephen Healy?

I am a 61-year-old attorney, and I have been practicing law for 34 years. I have a varied and national law practice. I am licensed to practice law in the States of California, Nevada, Oregon and the District of Columbia. I have a special interest in the legal representation of pulmonary physicians, respiratory therapists, and physicians and researchers who work in the area of lung pathology, occupational medicine and cancer epidemiology.

In particular, I help people with estate planning, trust administration, probate and probate litigation, with a special focus on assisting pulmonary physicians and respiratory therapists with their estate planning needs.

I also represent people with asbestos injuries throughout the United States obtain compensation, or in the cases where my clients die, I obtain wrongful death compensation for their spouses and children. I work with Los Angeles, California, patent attorney Phil Virga on patent, copyright and trademark litigation in the federal courts. My personal injury practice includes motor vehicle accidents, premises liability and injuries from dangerous products and toxic substances. My insurance practice consists of helping homeowners, policyholders and consumers with obtaining the insurance benefits to which they are entitled under their contract of insurance and California law. A number of my clients are military veterans. I am accredited by the United States Department of Veterans Affairs to represent veterans when they file for service-connected disability benefits. I have handled and/or tried to verdict a wide assortment of matters that included attempted murder, rape, felony drug cases, numerous misdemeanor criminal cases, a large number of real estate and construction defect cases, tax cases, copyright cases, medical malpractice (3 to verdict), insurance coverage, insurance bad faith cases (1 to verdict), sexual harassment (2 to verdict), business defamation (1 to verdict), and race, gender and disability employment discrimination cases (2 to verdict). I am the author of California Asbestos Products Liability: Claims, Defenses and Elements of Proof ((c) 2011 Stephen Healy), that you can buy online at www.stephenhealy.com. I have tried and settled multiple cases in excess of one million dollars.

Significant Jury Trial Verdicts

$2.1 Million - Lovelace v. Pneumo Abex (personal injury – mesothelioma)

$2.2 Million - McGrail v. Advocate Mines, Ltd. (wrongful death – mesothelioma)

$7.7 Million - Yancey v. Plant Insulation Company (wrongful death – mesothelioma)

$1.4 Million - Rogers v. John Crane, Inc. (wrongful death – mesothelioma)

$1.25 Million - Mudgett v. Plant Insulation Company (wrongful death – mesothelioma)

$2.7 Million - Reid v. Thorpe Insulation Company (personal injury – asbestosis)

$4.4 Million - Efstratios v. John Crane, Inc. (personal injury – mesothelioma)

$304,000 - Richey v. IVGID II (employment)

$503,000 - Richey v. IVGID I (employment)

$11.3 million - River Oaks v. Emory (real estate fraud)

$1.2 million - Bourdeau v. Bank of America (defamation)

What is our general process?

We have an easy, 3-step process designed to have your trust and other estate planning documents created and signed in 6-8 weeks:

* The first step is to attend your Peace of Mind Planning Session. You'll fill out a secure online questionnaire ("Family Profile") before we meet so we can make the best use of our time together. At this Zoom session, you'll learn all about your options and our flat fees. When you are ready to move forward, we'll email you an engagement letter and invoice, both of which can be executed online.

* Next is your Estate Plan Design Meeting. We'll roll up our sleeves and design your trust and other estate planning documents, working off the information you provided in your Family Profile. After this session, I'll draft your documents, and send a copy for your review about two weeks later. We'll then make any changes or updates you'd like to make. When everything is good to go, we'll coordinate an in-person Signing Ceremony.

*Your Signing Ceremony is where you'll sign your documents with the proper legal formalities, in front of two witnesses and a notary. We can have this session at our office or your home. Following execution of the documents, we are available for free, unlimited lifetime consultations regarding your estate plan.

What can I expect from my Peace of Mind Planning Session?

An attorney who listens without interrupting you and makes sure you fully understand your options before making any decisions. I wouldn't be doing my job as an attorney otherwise. It's very important to me that you feel heard and have your questions answered. We'll also review our process, flat fees, and overall client experience so you know exactly what you are getting and what the investment will be.

What are the initial steps to get started?

When you are ready to move forward, whether at your Peace of Mind Planning Session, or later, let me know. We'll send you an engagement letter via DocuSign and an invoice via our secure online payment provider, LawPay. Once these housekeeping items are taken care of, you'll schedule your Estate Plan Design Meeting.

What kind of information do you need from me?

Let me start by saying what we do not need. We do not need account statements, social security numbers, or tax returns. We Do need information on what kind of assets you own (house, retirement account, life insurance, etc.), their relative value, and how they are titled (jointly, individually, etc.) Beyond that, we simply need answers to questions about your personal estate planning preferences, including:

* Who you would want raising your minor children if something happened to you and your spouse or partner?

* Who you want to be in charge of your children's money until they are old enough to mange it themselves?

* Who you want making medical and financial decisions for you in the event of your incapacity?

Don't worry if you don't have the answers to these questions right away. You'll have plenty of time to think things over throughout the process.

What is estate planning?

Estate planning is simply the process of getting legal documents in place so that your chosen individuals are appointed to take care of you, your children, your assets, and your finances in the event of your death or incapacity. The process also involves naming the people you want to inherit your assets when you are gone. An “estate plan” is simply a bundle of all the documents needed to accomplish these objectives.

If you don’t currently have a will or trust, you may think you don’t have an estate plan….but you do. It’s just that the state of NY has written it for you! All states have a default plan for your family and assets in the event of your incapacity or death. That’s the plan you have now. Estate planning is “opting out” of the default plan and putting your own wishes in place.

How much does estate planning cost?

It depends. Estate planning is not one size fits all, so it’s hard for us to give you a quote without knowing more about you. Even if you believe your situation is relatively simple, there are likely nuances you are not considering. We discuss our fees and process at length in the Peace of Mind Planning Session, after we have counseled you on all your options. We do not discuss our fees outside the Peace of Mind Planning Session.

We understand that cost is an important factor in choosing an attorney, and that estate planning is a significant investment for many. It is our goal to be as transparent and fair as possible. For that reason, we offer flat fees as opposed to billing by the hour, so you know exactly what your investment will be. We also offer a 100% satisfaction guarantee. If you are not happy with our services, we will make it right, or refund your money.

Finally, we will only recommend planning with us if the amount you would save by doing an estate plan is greater than our fee.

How long does the process take?

Our process is designed to have your estate planning documents signed within 1-2 weeks of your Peace of Mind Planning Session. It depends in part on your schedule and how long it takes for you to review your draft documents.

Can I sign my documents with DocuSign?

No. Wills, trusts, and other estate planning documents need to be signed with very specific formalities or they will not be considered legally valid. That means signing in person, in front of 2 witnesses and a notary (which we provide). The witnesses are there to confirm you are lucid and not under duress, and the notary is there to confirm you are who you say you are. Any changes you make to your documents in the future will need to be executed with the same legal formalities.

What kind of clients do you accept?

We take on a limited clientele each month so we can offer a high level of service to each family. We work with people who value our advice and are seeking a long-term working relationship. If you are looking for the cheapest attorney you can find, do not want to devote time to learning about and understanding your options, or do not feel comfortable completing the Family Profile before our session, we are not the right law firm for you, and would be happy to refer you to a lawyer who may be a better fit.

Why do I need a living trust?

You have two options with your estate planning: a will-based plan, or a living trust-based plan. The vast majority of my clients choose a living trust. A living trust is a document where you appoint a chosen individual to manage your assets should you become incapacitated and distribute them to your family at your death. It is almost always preferrable to a will because it is designed to avoid the time, expense, and publicity of probate, which a will cannot avoid.

It comes as a surprise to many of my clients that wills do not avoid probate court…they guarantee it!

I go over the difference between a will and a living trust in depth during the Peace of Mind Planning Session. The most common question I get at the end of this session is, "Why would anybody ever do a will?!" Ultimately, however, the decision is yours.

What is probate?

Probate is the court-supervised process of administering your estate upon your death. If you die without a will, your estate must go through probate before all your money can be distributed to your heirs. And if you die WITH a will…your estate still has to go through probate! The only way to avoid probate is with a revocable living trust.

What's so bad about probate? Even a simple probate can take years to complete and eats up a significant portion of the estate assets in the meantime. It's also a public proceeding that makes your will available to anybody who wants to look at it.

Although a will is subject to the probate process, a living trust is designed to bypass it completely.

Is a simple Will enough?

Unfortunately, even a simple will is still subject to the expense and delays of probate. It's not the complexity of the document itself that cause the time and expense, it's the probate process itself. For this reason, most of my clients choose to create a living trust instead of a will, which is designed for simplicity and to avoid the probate process completely.

However, as part of an overall, comprehensive estate plan, a special "pour-over" will is used to appoint guardians for any minor children alive at your death.

Isn't estate planning just for the wealthy?

No. This is the biggest myth out there. Estate planning is in no way related to how much money you have, whether you are a married, or whether or not you are a parent.

Estate planning in putting legal documents in place that ensure your assets will go to the people you want, the way you want, when you are gone. It's about making this as easy as possible on your loved ones during an otherwise difficult time. And we all care about that, no matter how much (or little) money we have.

It's also about appointing people to manage your property and make health care decisions for you if you are incapacitated, something that matters to all of us regardless of wealth status.

What is a power of attorney?

A power of attorney lets you appoint someone to manage your property in the event of your incapacity. You will name someone you trust implicitly as your "agent". They will step into your shoes and pay your bills, file your taxes, manage your business, etc. if you cannot.

We include a power of attorney for both spouses in every estate plan we create.

What is a health care proxy?

A health care proxy allows you to appoint someone you trust to manage your medical decisions should you be unable to do so. A living will (not to be confused with a living trust or last will and testament) allows you to make certain medical decisions regarding end-of-life decisions, ahead of time.

We include a health care proxy and living will for both spouses in every estate plan we create.

Can we have a quick call before booking the Peace of Mind Planning Session?

Yes! I am happy to have a quick, complimentary call before your schedule your Peace of Mind Planning Session. We do not discuss fees outside the Peace of Mind Planning Session, but I am happy to answer any basic questions you may have.

What if I need to update my estate planning documents?

No problem! A living trust can be changed or revoked entirely as long as the creator is alive and has mental capacity to do so. Any guardians for minor children can also be changed through an amendment (called a "codicil") to your pour-over will.

All other estate planning documents (power of attorney, health care proxy, etc.) are typically recreated as it is more cost-effective.

The main point is that your documents can (and probably will be) updated as your life, your assets, and the law all change.

I'm not married – do I need an estate plan?

Yes! In some ways, you need estate planning MORE than married folks. Many non-married individuals want to leave their money to charities and friends, not their closest living relative. Unfortunately, if you die without getting this in writing, your estate could end up in the hands of that distant cousin you've met twice. And it's important for everyone to have a Health Care Proxy and Financial Power of Attorney.

How can I make sure my kids don't get a big check on their 18th birthday?

Great question! I have yet to meet a parent who actually wants their kids to inherit a big lump sum on their 18th birthday (which is the age you are legally entitled to inherit). Yet that is exactly what will happen if you don't get an estate plan saying otherwise. The good news is that with a trust, you can choose a later age for your kids to inherit – say 25, or 30. You have lots of options. We'll discuss them at your Peace of Mind Planning Session.

How do I nominate legal guardians for my children?

You nominate legal guardians in a Will, or a Pour-Over Will that goes along with your Revocable Living Trust. If you pass away without nominating guardians, a judge will make the decision for you. You also run the risk that family members will fight over who gets custody because you didn't make your preference clear.

Our firm goes the extra mile and helps you nominate short-term guardians to care for your children in the interim while the long-term guardians are appointed. And did you know you can "confidentially exclude" people you would never want raising your children no matter what? We can help with that!

Can't I just do my will on Legal Zoom?

You can. Keep in mind that Legal Zoom and law firms are two different things. They provide two different services. This is why the cost is different. Legal Zoom offers form documents you fill out and execute yourself. They are not a law firm and do not give legal advice. An attorney, on the other hand, counsels you and gives you legal advice based on your specific circumstances. They will customize your documents, ensure they are signed with the proper formalities, and pick up the phone when you call with questions. If these things are important to you, you should work with an attorney. If they are not, Legal Zoom may be a better option.

Do you work with families in all 50 states?

Estate planning is an area of law that is state-specific. That means you should work with an attorney licensed in the state in which you reside. I am licensed to practice law in California, the District of Columbia, Nevada and Oregon. If you live in D.C. or one of those states, we can prepare your estate planning documents. If you do not, message us, and we will be happy to refer you to an attorney licensed in your state.

If you are a business owner, however, we can work with you regardless of where you live. We help businesses in all 50 states, and worldwide, with LLC formation, contracts, trademarks, website legal notices, and much more.