

Choosing Your Estate Plan: Self-Directed vs. Attorney-Led

When a Self-Directed Estate Plan Makes Sense

Not every family needs an attorney to get a solid estate plan in place. For a lot of people, a self-directed plan is a smart, affordable first step, and it beats the alternative by a wide margin. The alternative, for most Americans, is having nothing at all. If you pass away without a will, your state decides who gets what. If you become incapacitated without a power of attorney or healthcare directive, your loved ones may have to go to court just to make decisions on your behalf. A simple plan you create yourself can prevent most of that. That is exactly why we built Estately: to make getting a real plan in place feel doable instead of daunting.

A self-directed plan tends to work well when your situation is straightforward. That usually looks like this: your assets are modest and easy to describe, such as a home, a few bank and retirement accounts, and a vehicle or two. Your wishes are simple, like leaving everything to a spouse and then to your children. You have no one in the picture who is likely to contest your plan, and your family gets along well enough that a clear document will settle things rather than stir them up. You live in one state and own property in that same state.

For people in that position, a will paired with a durable power of attorney and an advance healthcare directive covers the essentials. The will names who inherits your belongings and, if you have kids, who would raise them. The power of attorney names someone you trust to handle your finances if you cannot. The healthcare directive spells out your medical wishes and names the person who can speak for you when you can't speak for yourself. Together, these three documents answer the questions families most often face in a crisis. With Estately, you can create all three in one place, with guidance along the way so you are never left guessing what a form is asking.



Will



Durable power of attorney



Advance healthcare directive

Starting Where You Are

A self-directed plan also makes sense when you are young, just starting out, or just starting a family. Someone in their late twenties with a new baby and a modest savings account needs guardianship language and a plan for the unexpected far more than they need a complex legal structure. Getting something in place today is better than waiting until life is more settled, because life rarely sits still long enough for that to happen. The same goes for anyone who has put this off for years. A simple plan created this week is worth more than a perfect plan that never gets finished.

Cost and convenience matter too, and they are legitimate reasons. Digital tools let you create documents in under an hour, from your couch, at a fraction of what an attorney would charge. For families who would otherwise skip planning altogether because of price or hassle, that is a real win. Estately was designed around that idea, and it is built on the same mission as FreeWill, which has helped millions of people write their first estate plan. The goal is protection, and a plan that exists will always do more good than one that doesn't.

There are a few things to do to make a self-directed plan work as intended. Use a reputable tool like Estately that is built around your state's rules, since requirements for witnesses and notarization vary. Sign the documents exactly as instructed. If you create a trust, follow through and fund it. Tell the people you named what their roles are, and tell them where the documents are stored. And revisit your plan after big life events like a marriage, a divorce, a birth, a move, or a major change in your finances. A plan is only as good as it is current, and keeping it updated is a lot easier when your documents live in one place instead of a drawer.

One honest note: a self-directed plan is a starting point, and it should grow with you. If your life gets more complicated, your plan should get more support. Continue reading to learn more about attorney support.

When an Attorney-Led Plan Makes Sense

Some situations call for more than well-made documents. They call for legal judgment applied to your specific facts. This is not a choice between a good option and a bad one. It is a question of fit, and Estately covers both paths: create your plan yourself, or work with a Hargrove Firm attorney through Estately + Counsel, on the platform your advisor already uses.

Signs an Attorney-Led Plan Is the Right Fit

Complexity, more than wealth alone, is the clearest signal. If one or two of these apply to you, it is worth a conversation with your advisor.

- **Your estate may owe estate tax**. The federal exemption is $15 million per person in 2026. But 12 states and Washington, D.C. levy their own estate tax, starting as low as $1 million in Oregon and $2 million in Massachusetts. A paid-off home plus retirement savings can cross those lines.
- **Your life crosses state or national lines**. Property in several states, a recent move, or a spouse who isn't a U.S. citizen each bring rules that differ by jurisdiction and have to be reconciled.
- **Your family situation is complex**. A blended family, unequal shares or an estranged relative raises the odds of a dispute. An attorney can structure the plan to protect everyone you mean to provide for, and make it harder to contest.
- **Someone you love receives needs-based benefits**. A person on SSI can hold no more than $2,000 in countable resources, so an outright inheritance can cost them their benefits. A correctly drafted supplemental needs trust prevents that.
- **You own a business**. Your plan has to line up with your operating or buy-sell agreement and say who runs the company if you can't.
- **You want control over how your wealth passes**. Protection from a beneficiary's creditors or divorce, trusts meant to last for generations, retirement accounts left in trust, and major charitable gifts all call for custom drafting.
- **You want a professional to own it**. Some people simply want a legal review and someone accountable for the result. That is a valid reason too.

What an Attorney-Led Plan with Hargrove Provides

Hargrove Firm is a national estate planning law firm and Estately's attorney partner for Estately + Counsel. It works with wealth advisory firms that collectively manage more than $750 billion in client assets.

An attorney behind the work. A licensed attorney advises you, drafts your plan around your facts and your state's laws, coordinates with your advisor and oversees the signing. Your attorney is professionally accountable for the result, and your conversations are protected by attorney-client privilege.

Visibility. You and your advisor can see where your plan stands at every step, so no one has to chase status updates.

Fixed costs. You pay a flat fee for the plan level you choose, set before work begins. One price, no surprises.

National coverage. The same process in all 50 states, wherever you, your family or your property happen to be.

How It Works

01 Choose the attorney-drafted option in Estately. Your advisor registers you with Hargrove and shares any existing documents, including ones you created in Estately.

02 Meet your attorney in a one-hour consultation, then confirm your plan level and fee.

03 Review the drafts with your attorney.

04 Sign at home with a licensed notary and witnesses.

Covered Either Way

Many families start self-directed and add attorney support as their lives get more complex. With Estately, they don't have to start over: existing documents can be shared with a Hargrove attorney at intake. Your advisor already knows your assets and goals, so they can help you decide which path fits today. Either way, the goal is the same: a plan that exists, fits your life, and protects the people you love.

Sources

Kiplinger: 2026 estate tax exemption

Creative Planning: 2026 state estate and inheritance taxes

Social Security Administration: SSI resource limits

Estately + Counsel

Hargrove Firm

Co-authored by HARGROVE | Estately.