

The Legal Strategist

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TEXAS ESOTERIC FACTS

In this issue of *The Legal Strategist*, I will examine the lure of inexpensive do-it-yourself (DYI) legal services, such as LegalZoom, versus using a licensed attorney to draft your legal documents. While using one of these fill in the blank services may be, at first, inexpensive; in more cases than not, they will prove to be much more costly in the long run than using a licensed attorney to initially draft your documents. The old adage “you get what you pay for” is boldly on display with these DYI services.

□ More species of bats live in Texas than in any other part of the United States.

□ Laredo is the world's largest inland port.

□ The Tyler Municipal Rose Garden is the world's largest rose garden. It contains 38,000 rose bushes representing 500 varieties of roses set in a 22-acre garden.

The Feature Topic is a cursory review. If you would like more information on this, or any other topic previously covered in our newsletter, which can be viewed on *The Legal Strategist* tab of my web site, please contact my office.

Scott Barrett

FEATURE TOPIC: DO-IT-YOURSELF vs. LICENSED ATTORNEY

I often am asked the question of what is the difference in using LegalZoom (or other DYI fill in the blank programs) and hiring an attorney for document preparation. The most direct answer is DYI services cannot offer legal advice; they are often not current on Texas law; and if there is an issue with your document, they will not be able to address that issue.

When you use a DYI service, the documents are prepared using the information you provide. The service cannot give you advice regarding what form of business is right for your situation; the consequences of improperly adding or omitting certain terms in a contract; or advise you of the repercussions of including certain clauses in your Will.

The DYI providers want you to believe that the process of preparing documents is as easy as filling in the blanks on standardized forms. However, they disclaim their own propaganda by stating their services are not a substitute for the advice of an attorney. In fact, LegalZoom goes as far as stating that that “80% of people who fill in blank forms to create legal documents do so incorrectly.”

Despite this disclaimer, LegalZoom tries to reassure its customers that professionals are there to help; that customers can have “peace of mind” knowing that LegalZoom professionals will customize their Will based on their legal decisions. But LegalZoom is not a law firm. It is not permitted to review your answers for legal sufficiency, draw legal conclusions, provide legal advice, or apply the law to the facts of your particular situation.

In September of 2012, Consumer Reports (CR) proclaimed that “legal DYI websites are no match for a pro.” CR cites issues such as the documents prepared by the DYI sites are “not specific enough or contain language that could lead to an unintended result”; “the documents were not tailored to specific jurisdictions”, and; “none of the will-writing products are likely to entirely meet your needs.”

As CR concludes “many consumers are better off consulting a lawyer.” Attorneys do more than draft documents; they advise you on the best ways of protection, are current on federal, and more specifically, Texas law that will most likely govern your document; help preserve and distribute your assets according to your wishes. Yes, initially, the advice of an attorney costs more. However, if **80% of people who fill in blank forms to create legal documents do so incorrectly**, how much do you think correcting these issues or defending litigation based upon on faulty documents will cost you in the long run?

With your business or your family's well being is at stake, are you willing to take the risk to beat the odds?

If you would like more information on competent and compliant legal document drafting, please contact [Scott Barrett](mailto:Scott.Barrett@SBarrettLaw.com) to set up a consultation.