



Andrea L. Jakob, PA

*Legal knowledge, human wisdom:
Helping you plan today, so you can
sleep better tonight.*

Can AI Help With Estate Planning? Yes — But It Can't Replace a Real Attorney

If you've ever asked ChatGPT, Claude, Gemini, or another AI tool a legal-sounding question and received a surprisingly polished answer, you're not alone.

AI can be impressive. It can explain complicated topics in plain English, organize information quickly, and help you feel a little less overwhelmed when you're just starting to research something.

So it makes sense that more people are turning to AI with estate planning questions like:

"Do I need a trust?"

"What happens to my house when I die?"

"Can I avoid probate?"

"Do I really need an attorney for this?"

Those are good questions. And honestly, AI can be a helpful place to start.

But there is a very big difference between using AI to **learn about estate planning** and using AI to **do your estate planning**.

That difference matters. A lot.

Estate planning is not just about filling in names on a document. It is about protecting your family, your home, your assets, and your wishes when you are no longer able to explain what you meant. When it is done wrong, the problem usually does not show up until someone has become incapacitated or passed away — when it may be too late to fix.

Here's what AI can do, what it cannot do, and why working with an experienced Florida estate planning attorney still matters.

What AI Can Do Pretty Well

AI can be useful when you are trying to get familiar with estate planning for the first time.

It can explain common terms like **revocable living trust**, **pour-over will**, **durable power of attorney**, **health care surrogate**, and **Lady Bird deed** in a way that is easier to understand than many legal websites.

It can also help you come up with questions to ask during a consultation. For example, it might



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remind you to ask about beneficiary designations, retirement accounts, out-of-state property, or what happens if a child is still a minor.

And if you have never really thought about what happens to your assets after you pass away, AI can give you a general overview of the process.

That kind of preparation can be helpful. We like when clients come in curious, thoughtful, and ready to talk.

But AI should be treated as a starting point — not the final word.

What AI Cannot Do

1. AI does not truly know your Florida estate planning needs.

Estate planning is very state-specific. Florida has its own rules for wills, trusts, homestead property, powers of attorney, health care documents, probate, and enhanced life estate deeds, often called Lady Bird deeds.

What works in New York, Georgia, California, or Texas may not work here.

Even when an AI tool gives an answer that sounds confident, that does not mean it is correct, current, or appropriate for your situation. We have seen AI tools cite outdated laws, mix together rules from different states, and give answers that sound reasonable but are simply wrong.

When you work with our firm, you are not getting a generic explanation pulled from the internet. You are getting Florida law applied to your actual family, assets, and goals.

2. AI cannot make sure your documents are legally valid.

A document can look official and still fail when your family needs it.

In Florida, estate planning documents have specific signing and witnessing requirements. A will must be signed correctly. Certain documents require witnesses and a notary. A trust must not only be drafted properly, but also funded properly. If your trust is never funded, your assets may still end up in probate — even if the trust document itself looks beautiful.

That is one of the biggest risks with AI-generated or low-cost online documents. They may look complete, but no one has checked whether they actually work.

And unfortunately, families usually find out there is a problem at the worst possible time.



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3. AI does not know your family.

Estate planning is personal.

AI does not know if you are in a second marriage. It does not know if one child is financially responsible and another is not. It does not know if a beneficiary has special needs, addiction issues, creditor problems, or a difficult marriage. It does not know whether you own a business, have property in another state, want to protect a surviving spouse, or need to plan around Florida homestead rules.

Those details matter.

A good estate plan is not just a stack of documents. It is a plan built around real people and real life.

AI gives general answers. We ask the follow-up questions that reveal what your plan actually needs to do.

4. AI does not owe you confidentiality or a fiduciary duty.

Estate planning involves deeply personal information: family dynamics, finances, health concerns, assets, children, marriages, and sometimes difficult relationships.

An AI tool is not your attorney. It does not owe you a duty of loyalty. It does not have a fiduciary obligation to protect you. Attorney-client privilege does not apply to your conversation with a public AI tool.

That does not mean you can never use AI. But you should be careful about what you type into it. Avoid entering full names, account numbers, Social Security numbers, detailed asset information, private family conflict, or anything else you would not want stored or reviewed outside a confidential attorney-client relationship.

5. AI will not know when your plan needs to change.

Estate planning is not something you do once and then forget forever.

Your plan may need to be updated after a marriage, divorce, birth, death, move to another state, change in assets, new business, illness, or change in family relationships. Changes in the law can also affect your documents.

AI will not call you and say, "It may be time to review your trust."

It will not remember that your child got married, your successor trustee moved away, or your



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family situation changed.

A relationship with an estate planning attorney gives you something AI cannot: ongoing legal guidance from someone who understands the bigger picture.

The Risk of “AI-Prepared” Estate Plans

We are starting to see more clients who come in after trying to create their own estate plan with AI or an online document service.

Sometimes the documents were never signed correctly. Sometimes the wrong documents were used. Sometimes the trust was never funded. Sometimes important assets were left out. Sometimes the plan does not address Florida homestead issues at all.

The difficult part is that estate planning mistakes can stay hidden for years.

Everything may seem fine while you are alive and healthy. The problem often appears only after incapacity or death, when your family is trying to use the documents and discovers they do not do what everyone thought they would do.

At that point, fixing the problem can be expensive, stressful, and sometimes impossible.

How Our Firm Uses Technology

We believe technology can be very helpful when used the right way.

Our firm uses modern tools, including AI, to improve efficiency, organize information, and create client-friendly summaries and diagrams that make estate planning easier to understand. We want clients to understand their documents, not feel buried in legal jargon.

But technology is a tool. It is not the attorney.

Every client meets with an attorney. Every plan is reviewed by an attorney. Every recommendation is based on legal judgment, experience, and your specific circumstances.

That human piece matters.

The Right Way to Use AI Before Meeting With an Attorney

If you have already used AI to research estate planning, that is completely fine. In fact, it may help you come into the consultation with better questions.

The key is to use AI carefully.



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Use it to learn basic terminology.

Use it to organize your thoughts.

Use it to make a list of questions.

Use it to get a broad understanding of the process.

But do not rely on it to decide which documents you need, how your trust should be structured, how Florida law applies to your home, or whether your plan is legally valid.

And please do not enter sensitive personal or financial information into a public AI tool.

Ready to Talk to a Real Human Estate Planning Attorney?

If you are researching estate planning — whether you started with Google, ChatGPT, a friend's recommendation, or a family conversation — we are glad you are here.

At the Law Offices of Andrea L. Jakob, PA, we have helped South Florida families protect what matters most for over three decades. Every client meets with an attorney, and every plan is built around your specific family, goals, assets, and concerns.

AI can give you information.

We can give you guidance, judgment, and a plan that is designed to work when your family needs it most.

Call us at **954-862-1479** or [request a consultation online](#) to get started.