

LAW OFFICES OF GONZALO FUNES, P.A.

ATTORNEYS AT LAW | FLORIDA

FLORIDA ESTATE PLANNING STARTER GUIDE

Guía Inicial de Planificación Patrimonial

Everything Florida Families Need to Know

Lo que toda familia en Florida debe saber

4

Essential Documents

Documentos Esenciales

3

Florida-Specific Traps

Trampas Específicas

1

Conversation to Start

Conversación Para Empezar

CLIENT FOCUSED. RESULTS DRIVEN.

Enfocados en el Cliente. Orientados a Resultados.

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A Note from Gonzalo Funes

Una Nota de Gonzalo Funes

If you're reading this, you've already done something most people put off for years — you've started thinking about how to protect the people you love.

Estate planning isn't about death. It's about love. It's about making sure that if something happens to you, your family doesn't end up in a courtroom during the worst moments of their lives.

This guide will walk you through the four essential documents every Florida adult should have, the Florida-specific traps that catch people off guard, and a simple checklist to see where you stand today.

Read it at your own pace. Take notes. And when you're ready to talk, we offer a free 15-minute consultation — no pressure, no obligation.

EN ESPAÑOL

Si estás leyendo esto, ya has hecho algo que muchos posponen por años — has empezado a pensar en cómo proteger a tus seres queridos.

Esta guía te lleva por los cuatro documentos esenciales que todo adulto en Florida debe tener, las trampas específicas de Florida, y una lista simple para ver dónde estás hoy.

Cuando estés listo para conversar, ofrecemos una consulta gratis de 15 minutos — sin presión, sin obligación.

— Gonzalo Funes

Founding Attorney | Abogado Fundador
Law Offices of Gonzalo Funes, P.A.

What Every Florida Adult Needs

Lo Que Necesita Todo Adulto en Florida

These four documents form the foundation of any Florida estate plan. Without them, Florida law decides for you — not you.

1

LAST WILL AND TESTAMENT

Testamento

Names who inherits your assets and who raises your minor children. Without one, Florida law decides — and it may not match your wishes.

Decide quién hereda tus bienes y quién cría a tus hijos menores. Sin uno, la ley de Florida decide — y puede no coincidir con tus deseos.

2

DURABLE POWER OF ATTORNEY

Poder Duradero

Lets someone you trust handle your financial matters if you can't. Without one, your family may need to go to court for guardianship.

Permite que alguien de confianza maneje tus asuntos financieros si tú no puedes. Sin uno, tu familia puede necesitar ir a la corte.

3

HEALTHCARE SURROGATE

Representante de Salud

Lets someone you trust make medical decisions for you if you're unable to communicate. This person speaks with your doctors when you can't.

Permite que alguien de confianza tome decisiones médicas por ti si no puedes comunicarte. Esta persona habla con tus médicos.

4

LIVING WILL

Declaración de Voluntad Anticipada

Your written wishes for end-of-life care. So your family doesn't have to guess what you would want during the hardest moments.

Tus deseos escritos para el cuidado al final de la vida. Para que tu familia no tenga que adivinar lo que querrías.

Three Florida Traps

Tres Trampas de Florida

Florida law has unique rules that can trip up even careful planners. Here are the three most common ones we see.

! HOMESTEAD INHERITANCE RULES

Reglas de Herencia de Homestead

If you're married or have minor children, Florida law restricts who you can leave your home to — even in a will. A will that violates these rules creates a legal mess.

Si estás casado o tienes hijos menores, la ley de Florida restringe a quién puedes dejarle tu casa — incluso en un testamento.

! ADDING A CHILD TO YOUR DEED

Agregar a un Hijo a la Escritura

Many parents add an adult child to their deed thinking it avoids probate. Instead, it creates a taxable gift, exposes the home to the child's creditors and divorces, and loses valuable tax benefits for heirs.

Muchos padres agregan a un hijo adulto a su escritura pensando que evita la sucesión. En realidad, crea un regalo gravable y expone la casa a acreedores y divorcios.

! OUT-OF-STATE WILLS

Testamentos de Otros Estados

If you moved to Florida from another state, your old will may still be valid — but it likely doesn't account for Florida's homestead, spouse rights, or witness requirements. A Florida-specific update is almost always needed.

Si te mudaste a Florida desde otro estado, tu testamento antiguo puede ser válido — pero probablemente no considera las reglas específicas de Florida.

GOOD NEWS | Buenas Noticias

All three traps have straightforward solutions when you work with a Florida-specific attorney. We help clients navigate these every day.

Where Do You Stand Today?

¿Dónde Estás Hoy?

Check the box for each statement that's true. If you have any unchecked boxes, your estate plan has gaps worth addressing.

- I have a current Last Will and Testament that reflects my wishes.
Tengo un testamento actual que refleja mis deseos.
- I have a Durable Power of Attorney naming someone to handle my finances.
Tengo un Poder Duradero designando a alguien para mis finanzas.
- I have a Healthcare Surrogate designation.
Tengo una designación de Representante de Salud.
- I have a Living Will documenting my end-of-life wishes.
Tengo una Declaración de Voluntad Anticipada.
- My beneficiary designations (401k, IRA, life insurance) are up to date.
Mis designaciones de beneficiarios están actualizadas.
- My will accounts for Florida's homestead inheritance rules.
Mi testamento considera las reglas de homestead de Florida.
- My documents reflect any major life changes (marriage, divorce, new child).
Mis documentos reflejan cambios importantes (matrimonio, divorcio, hijos).
- If I own property in another state, I have a plan for it.
Si tengo propiedades en otro estado, tengo un plan para ellas.
- My family knows where to find these documents if needed.
Mi familia sabe dónde encontrar estos documentos si fuera necesario.
- I've reviewed my plan within the last 3 years.
He revisado mi plan en los últimos 3 años.

YOUR SCORE | Tu Puntuación

8-10 boxes: You're in great shape. Just review every 3 years.

5-7 boxes: Time for an update conversation.

0-4 boxes: Most Floridians are here. Let's fix that.

Preparing for Your Consultation

Preparándote Para tu Consulta

If you decide to book a consultation, here's a simple list of what to gather. Don't worry if you don't have everything — we'll work with what you bring.

INFORMATION ABOUT YOU

- Driver's license or state ID
- Marital status & spouse info
- Names & ages of children
- Existing wills or trusts (if any)

INFORMATION ABOUT ASSETS

- List of real estate owned
- Bank & investment accounts
- Retirement accounts (401k, IRA)
- Life insurance policies
- Business interests, if any
- Out-of-state or foreign property

INFORMACIÓN SOBRE TI

- Licencia de conducir o ID estatal
- Estado civil e información del cónyuge
- Nombres y edades de hijos
- Testamentos o fideicomisos existentes

INFORMACIÓN SOBRE BIENES

- Lista de bienes inmuebles
- Cuentas bancarias y de inversión
- Cuentas de jubilación
- Pólizas de seguro de vida
- Intereses comerciales
- Propiedades fuera del estado o país

DON'T HAVE EVERYTHING? | ¿No Tienes Todo?

That's completely fine. The 15-minute consultation is about getting to know you and answering your questions — not auditing your paperwork.

Common Questions

Preguntas Comunes

How much does an estate plan cost?

¿Cuánto cuesta un plan patrimonial?

It varies based on complexity. A basic plan (will, POA, healthcare surrogate, living will) is much more affordable than people expect. We discuss pricing transparently in your free consultation.

Varía según la complejidad. Un plan básico es más asequible de lo que la gente piensa. Discutimos precios de forma transparente en tu consulta gratis.

Do I need a trust, or just a will?

¿Necesito un fideicomiso o solo un testamento?

Most Florida families do well with a will plus the other essential documents. A trust makes sense for specific situations: avoiding probate, blended families, special needs children, or property in multiple states.

La mayoría de las familias en Florida funcionan bien con un testamento. Un fideicomiso tiene sentido para situaciones específicas.

How long does it take to set up a basic plan?

¿Cuánto tarda preparar un plan básico?

Typically 2-3 weeks from initial consultation to signed documents. Urgent situations can be expedited.

Típicamente 2-3 semanas desde la consulta inicial hasta los documentos firmados. Situaciones urgentes pueden acelerarse.

Can we do this in Spanish?

¿Podemos hacer esto en español?

Yes — every consultation, every document, every conversation is available fully in Spanish.

Sí — cada consulta, cada documento, cada conversación está disponible completamente en español.

What if I already have a will from another state?

¿Y si ya tengo un testamento de otro estado?

Bring it. We'll review it together and tell you whether it works in Florida or needs updating. Often a Florida-specific update is all that's needed.

Tráelo. Lo revisaremos juntos y te diremos si funciona en Florida o necesita actualización.

READY TO GET STARTED?

¿Listo Para Empezar?

BOOK YOUR FREE 15-MINUTE CONSULTATION.

Agenda tu consulta gratis de 15 minutos.

NO COST

Sin Costo

NO PRESSURE

Sin Presión

FULLY BILINGUAL

Totalmente Bilingüe

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