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REPORT OF COUNSEL

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To Legal Zoom or Not to Legal Zoom — That is the Question!

Legal Zoom is an online provider of legal forms. In recent years the company successfully beat back challenges by state bar associations alleging that the company engages in the unauthorized practice of law.

When faced with the choice of using a form service or consulting an attorney, what should you do?

First, ask yourself how complex is your matter? If it is not complex and very straight-forward, then a form service like Legal Zoom might work for you. The forms provided by these services are designed to address the most common issues in a legal transaction but by no means all of the issues.

However, if the simple document you bought or previewed online does not seem to address all of your concerns, it is time to speak with an attorney. A discussion with an attorney can help you clarify your objectives and provide you with options of which you were not aware. Second, ask yourself what the financial impact may be to you if the document provided by the form service does not completely address the legal

issues you face or provide you with important protections. For example, a will form provides a space for you to name an executor and an alternate executor. The form will not discuss the merits of selecting one person over another. Will your executor need to post a fiduciary bond? When does Virginia law allow the waiver of a bond? Is the person you nominate as executor able to serve? Will their credit scores allow the writing of a commercial fiduciary bond should one be necessary?

Similarly, the form package is unlikely to show you whether the selection of an executor(s) allows the simplified accounting known as a “Statement in Lieu of Account.”

While form services promise to solve your legal problem cheaply and quickly, this might not be the case! There is no substitute for expertise and experience when faced with an important legal transaction.

Please call me when you need discuss a legal situation facing you — I would be pleased to speak with you.