Fort Bend County Podcasts

Podcast Episode 66 - There's Hope for Wills

August 6, 2026

****Disclaimer**-Please note, anything that is said in the podcast does not supersede actual plan or program languages, and anyone wishing for specific information in regard to coverage should go directly to the plan documents found under risk management on eConnect.**

Gina: Put on your detective hats and get ready to unravel mysteries with this week's Benefit Detective podcast. I'm Gina, your trustee, sleuth sidekick. And joining me is the brilliant investigative whiz Patricia Garner.
Pat: Hey there folks! Big thanks for the warm welcome back today.
We've got a special treat joining us from All One Health is Monique Lovato and legal intern Hope Patrick.

Hope: Hello.

Monique: Hi.

Hope: How are you?

Gina: Hey, we are good. Thank you all so much for joining us today!

Hope: Thanks for having us.

Gina: Well, in today's podcast, we're diving into the down and dirty details of wills.
We're tackling all the burning questions. Monique and hope. Why don't you kick things off and spill a little about yourself?

Monique: All right. Well, hi everyone. I'm Monique Lovato. I am the client relations manager for all one health EAP and so I work directly with the county, and I've been doing this about 20 years now so happy to be here.

Hope: Hi everyone, I'm Hope Patrick! I'm a rising third year at Elon University School of Law. I've been interning as a legal intern with All One Health, both at the beginning of this year, January to March, as well as now for the summer. Super excited to be back working under Ron Morris and doing a lot of all one health internal documents.

Gina: Yay, so nice to meet you, Hope! And I'm so glad to have you back, Monique!
We always love having you on.

Monique: Thank you.

Pat: Well, kicking things off with today's topic. Hope, spill the beans. What is a Will and why is it important?

Hope: So, a Will is a legal document that lets a person decide what happens to their property and their assets after they die. Think of it as your final set of instructions for someone else. Instead of letting state law decide who gets your belongings, a will allows you to make those decisions yourself. You can choose who inherits your property. You can name an executor to carry out your wishes, and if you have minor children, you can nominate a guardian to care for them. Having a will is important because it helps ensure that your wishes are respected and followed. It can also make the probate process much smoother by giving the court and your loved one's clear instructions without a will, your estate is distributed according to your intestacy laws, which may not reflect what you would have wanted for yourself and your family. It can sometimes lead to confusion, disagreements among your family members, and even delays in settling your estate. In short, a will basically gives you control over what happens when you pass.
And provides clarity for the people that you leave behind. And while it can't prevent every dispute, it is one of the most important estate planning documents because it protect helps protect your intentions.

Pat: Wow. And when's the right time to draft a Will?
Hope: So the short answer is that someone should get a will really as soon as they become an adult and have assets, responsibilities or people they want to protect. A lot of people wait until they're older.

Pat: Oh, you're good. It's good. It's fine. What are some misconceptions regarding wheels?

Hope: There are a couple big common myth is that people who are older only need wills, and young adults don't. Many people think it's only for. People who are retired but accidents and unexpected illnesses that can happen at any age. Once someone becomes adult or you have, you know, very important assets or you get married, have kids, etc. That's kind of when you should start thinking about creating a will for yourself and your family.

Gina:
So what are some things that are not recommended to put in wells?

Hope: Well, the biggest thing is if you have life insurance plans, 401K retirement plans that have separate name beneficiaries that you put there, that usually is its own separate entity and contradicts a will and will prevail over a will. So, if you have a name beneficiary and you name someone else in the will, the beneficiary will prevail.

Gina: Oh, wow. What if someone has debt before passing, but the beneficiary to the will inherits it. Do they get the debt as well, like for example, a house?

Hope: So, the general answer is no. There, if there's general debt in terms of personal debt like credit card debt or medical debt, that will not pass to the beneficiary named in the will. However, with a House, things like mortgage, which is a secured creditor debt and a lien on that property, they will the. Mortgage will carry to the beneficiary. So, if the beneficiary the person named in the will to get that property wants the house, they will have to continue paying mortgage or satisfy the loan some other way. But personal, that's like credit card are not carried into the beneficiary. There's usually paid from the deceased estate first before they get that property or that asset.

Gina: OK, I know this is good information.

Pat: It really is. It really is.

Gina: What if kids are the only ones listed on a will? What happens then?

Hope: Generally, if they're the only beneficiaries listed, they will inherit the estate according to the terms of the will a person can choose to leave all or part of their estate to their children. But it can depend on whether children are adults or minors. So, if the children are adults, then there's no problem there. They inherit the assets that the Will sets out for them if they are minors, there might be a guardian given to them by the court to help carry out the wishes until the kids become of legal age of adult age. Usually trust kind of determine as like a supplement document when like what the kids get and when they can get it. But for adult children, it's just the same. Just write the will and distribute the property to your adult children.

Pat: And I was wondering, are Wills expensive?

Hope: No, it depends on how much, how many assets you have. Generally, it can be a very inexpensive process. You have fees like court fees for the probate process, the initial filing and certification fees. You have some probate taxes, and if you choose to, you don't have appraisers for your assets. If you have nice jewelry that you want to get, you know an amount on that kind of rolls into the cost of. Writing a will, but the court fees generally are not that expensive, but it does depend on how many assets you have.

Gina: Thank you. And what happens if someone passes without a will?

Hope: So, when someone dies without a valid will, they are said to have died in testing.
So instead of the person's wishes, determining who inherits their property, the estate is distributed according to the state's intestacy laws. The laws established that a specific order of inheritance usually gives priority to the surviving spouse and the children, the parents, and then other close relatives. It'll still go. Through the probate process, like a whale would.
But instead of having the exact wishes of the deceased person. And it follows state law.
Gina: Oh wow. So, what does it mean to contest a will?

Hope: So, when someone wants to contest a will, it basically is challenging the validity of that while in court. They're asking the court to determine that the will should not be enforced because there's a legal reason to believe it's invalid. There are usually some grounds that people would want to contest a will, such as, you know, lack of testamentary capacity, meaning the testator didn't understand they were making the will. You know how much property they had, the people who would get to inherit the property from them. They can use that and raise that as a defense. There's also duress undue influence, you know, manipulation or just improper execution.
There's the Will didn't meet the valid requirements under the law, so there's many ways that A will can be contested.

Gina: Oh, wow. Monique, how do we sign up to do a will with all one health?

Monique: Yeah. So, we do have some options for you that are offered to you through all one health. We offer legal services. And so, if you go to our member Portal or app, we have a wonderful section which is probably one of our most popular sections of our website is. Our legal forms and worksheets and there we added about two months ago a Will maker and so you can get your Will done today. And all you need are some witnesses to sign it.
It and file it away and you have your will in place. And I think that this is really helpful because you can actually go in and make changes. So, let's say you have a baby or you go through a divorce. You can log back in, make those changes again, have witnesses see you sign it, print it out, file it away and you always have an up-to-date will. Now this is a simple will, so it qualifies for most people that have under $2,000,000 in assets.
And if you do have a lot of land stocks, you know, properties, things like that, then we do also

offer free legal consultation through the legal services. So, we can help you find an attorney that specializes in estate planning, and you can get that free consultation and possibly up to a 25% discount if you choose to retain them. So, while the second option isn't covered through AOH. If you don't qualify for the simple will, it is a good Plan B option.

Gina: Wow, that is fantastic!
Pat: It really is. And for the last question, Hope, it's more of a true or false question.
Oh, true or false? Anyone can write down their wishes for will say on a piece of paper and have it notarized and it be valid.

Hope: So, that is actually false. Simply writing down your wishes and having the document notarized does not automatically create a valid. Well, there are legal requirements of the state or this jurisdiction that where it was executed and produced that you have to follow. For example, under kind of uniform code, it has to be in writing. It has to be signed by the testator.
The person you know, wanting to distribute their assets or someone acting in their capacity.
And it has to be witnessed. A notary alone does not determine the validity. You have to have those witnesses. You have to have that writing. There are also such things as holographic wills, which may be valid without witnesses if the material portions of the will and the signature are in the decedent's handwriting, that also will be a valid will, but notary notarized notarization, and just writing down their wishes on a piece of paper do not. Can constitute a valid well.

Gina: Wow, I didn't even realize about a holographic. You just educated me on that one!

Pat: Yes, same here. Same here.
Pat: This was very informative, ladies. Huge thanks for sitting down with us and enlightening both of our curious minds and our fabulous listeners about Wills, Hope, Monique, your insights were a treasure trove.

Hope: Thank you. Thank you.

Monique: Thank you.

Gina: Absolutely. It's been buzzing around in my brain for ages already. Time to finally get this done, especially with all this good information because I mean, let's be honest, we're not exactly aging backwards here, you know, with society's quirks.
I rather be ahead of the game, then leave my kiddos scratching their head in confusion someday, you know.

Hope: Absolutely.
Gina: So yeah, so this is a great tool to have. I'm curious, Pat, what about you?
Do you have a will?

Pat: Gina, at this stage in life, I am embarrassed to say that I do not, but after hearing the getting the information from Hope and Monique, it is definitely on my priority list to get done.
Gina: Same! Especially since All One Health was able to provide us with that template that actually walks you through making a Will. I'll say it again, Monique. That's fantastic.
Monique: Thank you.
Pat: Yeah, there's no excuse at all for not getting it done. So, I'm definitely going to do that.
Gina: And that's a wrap on this week's Benefit Detective Podcast. I'm Gina signing off!

Pat: And I'm Pat! Keep your ears peeled for our next podcast adventure.
Gina: As always, the Benefit Detectives are here to help!