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Fast, Cheap, and Risky: The Problem with AI Estate Planning

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Artificial intelligence tools can seem like a convenient shortcut to estate planning. They are fast, inexpensive, and the documents they produce look convincing. But these tools carry significant risks that may not become apparent until it is too late to correct them.

Estate Planning Is More Than Documents

Estate planning is not just paperwork. It is a thoughtful process that should involve candid conversations with a trusted professional who understands your family circumstances, financial situation, and long-term goals. The tangible product of that relationship is a set of individualized documents that enforce and support your particular intentions and goals.

AI May Not Satisfy Legal Requirements

Estate planning is governed by numerous federal and state laws, including particular execution requirements. AI-produced documents routinely fail to account for the specific legal language, witness requirements, and acknowledgment procedures mandated by each state. A general-purpose AI tool will not verify compliance or alert you if the document it generates does not meet your state's requirements for a legally binding instrument.

AI Does Not Know Your Family or Financial Situation

Even a technically compliant AI-generated document can still jeopardize your money, property, and legacy. AI tools rely on generalized templates and the limited information you provide in your prompt, and you may not know what facts are important. These documents may omit provisions critical to your situation, such as planning for blended families, minor children, special needs beneficiaries, business interests, real property in multiple states, creditor protection, or tax efficient structures.

AI Can Miss Assets That Pass Outside a Last Will

Many assets pass outside of a Last Will entirely. Joint tenancy with right of survivorship, transfer-on-death accounts, and beneficiary designations on retirement accounts and life insurance policies all pass at death independently of a Will. Any provision in a Last Will attempting to distribute those assets is moot. A comprehensive estate plan requires coordination among Last Wills, Irrevocable and Revocable Trusts, beneficiary designations, titling of assets, and Powers of Attorney. AI tools typically produce isolated documents without ensuring that all of these components work together. Structural errors or context omissions of this kind can lead to unintended consequences, offended loved ones and, unfortunately, costly litigation for your family.

AI Cannot Replace Professional Judgment

AI tools also cannot assess testamentary capacity or undue influence. If a document's validity is challenged in probate court, there will be no professional who reviewed the circumstances and can speak to them.

Tax and estate laws change frequently. For example, the estate tax exemption increase to $15 million per individual under the One Big Beautiful Bill Act affects planning strategy in ways a general-purpose AI tool is unlikely to incorporate. An experienced attorney monitors these developments and will alert clients if it is time to review an estate plan.

Privacy and Confidentiality Concerns

Depending on the AI tool you use, the information you enter may not be protected by attorney-client privilege or any confidentiality obligation. This could expose sensitive personal and financial data. By contrast, communications with your attorney are protected by attorney-client privilege, safeguarding your most sensitive information.

The Bottom Line

AI has a place in many areas of modern life, but it does not replace professional judgment. The documents that govern what happens to your family and everything you've built deserve more. Contact Saiber's estate planning team to discuss how we can help you build a plan that reflects your goals, protects your family, and adapts as your life and the law evolve.