



Presents

THE ESSENTIAL GEORGIA ESTATE PLANNING GUIDE

*A Clear, Compassionate Roadmap for Protecting Your
Loved Ones & Preserving Your Legacy*

By Attorney Lynita Mitchell-Blackwell

Why Every Georgia Family Needs an Estate Plan

Estate planning ensures your family is protected, your wishes honored, and your legacy preserved. Georgia intestacy laws may not reflect your intentions. A complete estate plan appoints trusted decision-makers, protects minor children, organizes finances, and prepares your family for transitions.

This guide covers four core documents every Georgian should have:

1. Last Will & Testament
2. Durable Financial Power of Attorney
3. Georgia Advance Directive for Health Care
4. Revocable Living Trust



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Why I Care

My grandmother died without a Will. She believed that because she had made her wishes clear to her sons (including my father), that there was no need to reduce them to writing. My father and his brothers are good men and were dutiful sons. They loved and respected their mother, so there was no reason to believe problems would result.

Until they did.

At 92, my grandmother had a stroke, leaving her an invalid. A woman of strong independence until the day of her stroke, my grandmother handled her own affairs and had amassed a sizable estate that included property along the Florida coast, insurance policies, and a significant amount of cash. A retired educator who obtained multiple degrees, including a Masters degree from NYU, Grandmother was an excellent steward over her assets.

Yet she did not have any of the documents in place that would preserve her wealth and ensure a seamless transition to her sons.

When Grandmother suffered the stroke, my father and his brothers were determined to do all they could to care for her the best way they knew how. The hospital transitioned her to an understaffed facility with poorly trained workers, and the resultant care left Grandmother with a bedsore the size of a golf ball in her back. Her sons wrestled with the facility, her



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primary care physician, and her insurance company to get Grandmother transferred home.

They initially hired private medical staff to assist with Grandmother's care, then slowly but surely, assumed her care themselves over the next five years.

It wore them out – physically, emotionally, spiritually, and financially.

Grandmother's assets were decimated.

And when she finally took her last breath, my father and his brothers started the painfully arduous work of probate and transferring Grandmother's remaining assets – the properties – in their names.

It took three years to finalize everything.

I promised myself that when I had children, I would not put them through any of this. And when I went to law school, I was positioned to make good on that promise.

Now I help other people – people like you – to ensure that your family is prepared, your assets protected, your legacy assured, and spiritual peace is at the heart of our planning.

So let us get to work!



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Part I. The Core Documents of a Georgia Estate Plan

1. Last Will & Testament

A Will directs asset distribution and names your Executor. It allows you to appoint guardians for minors, make gifts, transfer real estate, and create trusts for young beneficiaries.

You will need to appoint a trusted person to serve as your Executor. The Executor's job is to ensure that your wishes are fully carried out.

If you have minor children, there will also be Custodian and Guardianship appointments to consider.

A Custodian has authority to act in regards to a minor's property, assets, and finances. This should be a person who is fiscally responsible.

A Guardian has authority over the physical wellbeing and care of the minor. This should be a person who loves children and treats them with care.

The same person may serve as both Custodian and Guardian, but that is not required.

Your Executor can also serve as the Custodian and Guardian, but that is not required.



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2. Durable Financial Power of Attorney

This appoints someone to handle finances if you are unable. This person is called an Agent. Without a designated Agent, loved ones may need court-appointed guardianship. This can be a time-consuming and expensive endeavor.

The Financial Power of Attorney (or POA) becomes active when and if the conditions specified in the document occur.

Example: you specify that the POA only becomes active if you are incapacitated as determined by your primary care physician/medical doctor.

You can limit the Agent's power by specifying that only certain actions are authorized. The POA can be as limited or as broad as you wish.

The Agent should be a responsible person that you trust explicitly.

It is best to talk with the person you'd like to serve as Agent AND have them sign and get notarized an acceptance of appointment for this role.



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3. Georgia Advance Directive for Health Care (formally known as a Living Will)

Names a Health Care Agent, outlines medical treatment preferences, and provides end-of-life instructions. It only becomes active if you cannot make medical decisions for yourself.

The Health Care Agent should be a person of trust who understands your desires should you become incapacitated. This person should also understand any religious beliefs that may impact life decisions.

A copy of this document should be given to the named Health Care Agent, your primary care provider, and the hospital you primarily obtain services from when you obtain tests, surgeries, or exams.



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4. Revocable Living Trust

Helps avoid probate, protects minors, and provides privacy. Ideal for real estate owners, blended families, and those wanting faster access to assets.

Items such as real estate, collections, prized possessions, financial instruments are added through the Trust through a process called “funding the Trust”. This means that title of the item is updated to reflect the name of the Trust, and the Trust becomes the new owner.

To maintain control of the Trust, you become the administrator, called a Trustee. To pass control of the property upon your transition to your designated beneficiaries, you will make them Successor Trustees.

The Trust can be changed/amended at any time, as can the Trustee(s) and Successor Trustee(s).



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Part II. Preparing for Your Estate Plan

1. List All Assets

This includes real estate, bank accounts, retirement plans, insurance, vehicles, business interests, digital assets, intellectual property, and collections.

2. Choose Trusted Decision-Makers

Executor, Guardian and Custodian for minors, Financial Agent, Health Care Agent, and Trustees.

3. Clarify Your Wishes

Consider distribution ages for minors, medical decisions, financial authority, sentimental gifts, and charitable desires.

Write a letter explaining your reasoning for decisions that your loved ones may not understand.

Video record family history, famous sayings, and traditions for your loved ones to enjoy and share with their descendants.

4. Gather Supporting Documents

Deeds, statements, policies, beneficiary forms, marriage/divorce documents, birth certificates.



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Part III. Georgia Estate Planning Checklist

- ✓ Last Will & Testament
- ✓ Durable Financial Power of Attorney
- ✓ Georgia Advance Directive for Health Care
- ✓ Revocable Living Trust
- ✓ Executor, Guardian, Custodian, Agent, and Trustee selected
- ✓ Beneficiaries & distribution ages chosen (18, 21, or 25)
- ✓ Assets organized
- ✓ Special instructions noted
- ✓ Insurance policy and investment account beneficiaries updated
- ✓ Bank accounts listed and updated with “paid on death” beneficiaries
- ✓ Burial, short-term and long-term disability insurance policies noted



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Your Next Step

Your estate plan is a spiritual, emotional, and generational gift.

It preserves your intentions and protects your loved ones.

When you are ready for a customized, spiritually aligned Georgia estate plan, I am here to support you.

Lynita



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Attorney Lynita Mitchell-Blackwell is an award-winning estate planning attorney, spiritual advisor, and founder of The Legacy Light Path™, where law and spiritual stewardship merge to support families in creating peace, protection, and prosperity for generations. With more than twenty years of legal experience, Lynita has expertly guided her clients through wills, trusts, powers of attorney, advanced directives, and probate matters with compassion and clarity.

A graduate of the Georgia State University College of Law and a Certified Public Accountant (CPA), Lynita is known for her ability to translate complex legal and financial principles into practical, accessible guidance tailored to each client's life and legacy. She has drafted comprehensive estate plans for families, business owners, elders, blended households,



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and parents of minor children, ensuring their assets, wishes, and loved ones remain protected under Georgia law.

Lynita's unique approach integrates grounded legal strategy with intuitive insight, helping clients make aligned decisions that honor both their earthly affairs and their spiritual values. Through her private practice, speaking, and education initiatives, she empowers individuals and families to plan proactively, avoid unnecessary court intervention, and create estates rooted in clarity, love, and intentional legacy.

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