



Mark S. Reckman, Esq.
Wood & Lamping LLP

Trusts to Avoid Probate

In recent years, there has been a growing interest in saving money by minimizing or avoiding probate. “Living Trusts” are the preferred vehicle and are endorsed by consumer advocates such as AARP and Consumer Reports.

A living trust is established during one’s life. Assets transferred to a trust before death will avoid probate (assets not placed in the trust prior to death do not enjoy this benefit). The control and final disposition of the assets are spelled out in the trust document. Although these assets are usually still taxable, there is no executor’s fee at death and the attorney fees for settling the estate are substantially lower. This can reduce the total administrative expenses by up to 50%.

In addition to avoiding guardianship and probate, trusts are used to:

- education funds;
- money for grandchildren;
- Protect assets from a loved one with poor judgment;
- Reduce estate taxes;
- Supplement someone’s income;
- charitable gifts;
- Protection from creditors;
- Maintain eligibility for Medicaid or other benefits.

*In recent years,
there has been
a growing
interest in
saving money
by minimizing
or avoiding
probate.*

For a FREE copy of Mark Reckman’s Estate and Medicaid Handbook visit www.WoodLamping.com or call (513) 852-6000