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the living trust is often marketed as a vehicle that allows you to avoid probate upon your death probate is the court supervised process of administering your estate and transferring your property at death pursuant to the terms of your will probate is rarely the calamity naysayers claim

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probate is a court supervised proceeding that authenticates your will if you have one and approves your named executor so he or she can distribute your property and belongings during the probate process all your assets must be located and assessed for total value

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although it is true that a living trust has several benefits it is not the panacea for an allegedly inevitable and costly probate experience this article will discuss those benefits and compare them with a typical probate experience in connecticut a definition first what is a living trust

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by mary randolph j d uc berkeley school of law the probate process begins when you ask the probate court to be appointed as executor or personal representative next you ll gather the deceased person s property and open a bank account in the name of the estate you ll then pay debts and taxes

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you are not the owner anymore the trust becomes the owner of the estate but you can revoke your permission or change the status of the assets until your death when a trust is set up correctly there is no need to go through probate whoever you have named as the beneficiary of the trust will automatically become the owner of the assets

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