

## TRUST INSTRUCTIONS

1. Decide if you need a shared trust. If you are married and you own most of your property together, a shared trust may be the right way to go. Your other choice is two individual trusts.
2. Decide what items to leave in the trust. You might not want to hold all your property in your living trust - just the big-ticket items that are headed for probate unless you act.
3. Decide who will inherit your trust property. For most people, choosing family members, friends, or charities to inherit property is easy. After you make your first choices, don't forget to choose alternate (contingent) beneficiaries, too.
4. Choose someone to be your successor trustee. Your trust must name someone to serve as "successor trustee," to distribute trust property to the beneficiaries after you have died. Once you've made your choice, discuss it with the person you have in mind to make sure he or she is willing to take on this responsibility.
5. Choose someone to manage children's property, especially if they are minors (or not able to make good decisions). If children or young adults might inherit trust property, you should choose an adult to manage whatever they inherit. If the children are minors, you can additionally make a trustee a property guardian, which is a property custodian under a law called the Uniform Transfers to Minors Act (UTMA).
6. Prepare the trust and sign it in front of a notary. After making your trust, you (and your spouse, if you made a trust together) must sign it in front of a notary public.
7. Transfer title of property to the trust (usually yourself as trustee of the trust). This is a required step that must be completed. To make your trust effective, you must hold title to trust property in the trust (your name as trustee - for example, if John Smith wants to hold real estate in his trust, he must prepare and sign a new deed transferring the real estate to John Smith, trustee of the John Smith Trust, or it does NOT protect).
8. Store your trust documents safely. Make two (or more) copies and tell your successor trustee where each document is and how to get access when necessary. Do NOT put it in a safety deposit box as it will become unavailable to all the right people when it is needed.