



Why Asset Titling Matters in Estate Planning

Creating a revocable trust is a smart move—but it's only half the battle. If your accounts aren't properly titled, your assets may bypass the trust entirely, leading to probate, unintended distributions, and unnecessary complications for your loved ones. Whether held jointly or individually, how your accounts are titled can make or break your estate plan. Here's what you need to know to keep everything flowing smoothly.

Holding Assets Outside of a Revocable Trust: *Benefits*

1. Immediate Access for Joint Owners

Joint accounts allow surviving owners to access funds immediately upon death, which can be helpful for covering short-term expenses.

2. Simplicity for Everyday Use

Individual or joint accounts may be easier to manage for daily transactions, especially if the trust is not actively used for bill pay or income.

3. Avoidance of Probate (In some cases)

Joint accounts with rights of survivorship or accounts with Transfer on Death (TOD) designations can bypass probate, though not always the trust.

Holding Assets Outside of a Revocable Trust: *Risks*

1. Assets May Bypass the Trust's Instructions

Joint accounts typically pass to the surviving owner, not the trust—even if the trust is listed as a beneficiary. This can disrupt the estate plan.

2. Unequal Distribution Among Heirs

If one child is a joint owner and others are not, that child may inherit the entire account, unintentionally disinheriting others.

3. Loss of Control and Protection

Assets outside the trust are not governed by its terms, which may reduce protection from creditors or mismanagement.

4. Potential for Probate or Legal Disputes

If titling is inconsistent or unclear, assets may end up in probate or be subject to legal challenges.

How to Ensure Assets Are Titled and Flow Correctly

1. Retitle Key Accounts into the Trust

Work with your financial institutions to change ownership from individual/joint to the name of the trust (e.g., “John Smith, Trustee of the Smith Family Trust”).

2. Use TOD Designations Strategically

For accounts not retitled into the trust, consider adding a *Transfer on Death* (TOD) designation to the trust.

3. Review All Account Titling Annually

Ensure consistency across bank, brokerage, and retirement accounts. Titling should align with your estate plan. If you’re working with us, we’ll collect account titling information and provide an asset flow chart annually.

4. Coordinate with your Estate Attorney and Advisor

Confirm that your trust is properly funded and that all assets are either titled in the trust or designated to flow into it upon death according to your attorney’s advice.

5. Document Intentions Clearly

Keep a written summary of your asset titling strategy and share it with your trustee and beneficiaries to avoid confusion. As a part of our legacy planning process, you’ll receive an asset flow chart you can share with your heirs.

Thoughtful Planning Matters

Proper asset titling isn’t just a detail—it’s the key to making your estate plan work as intended. By aligning ownership and beneficiary designations with your trust, you protect your legacy, avoid costly detours like probate, and ensure your wishes are honored without confusion or delay.



Let us help you Bridge the Gap.

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