

**Most people create a living trust to** [**avoid probate**](https://www.nolo.com/legal-encyclopedia/how-living-trusts-avoid-probate-29848.html)**, but you can also use a living trust to name beneficiaries, set up property management for young beneficiaries, and give someone control of your property if you become incapacitated. You can create a simple probate-avoidance trust yourself. Here are the steps you'll need to take, answer these questions. We will prepare your court ready documents and send your Living Trust back to you.**

## **Questionnaire for Living Trust**

## **Steps to Set Up a Living Trust:**

## 1. Decide whether you need a **Shared Trust** or an individual **Revocable**

##  **Living Trust**.

## \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

If you are married or in a domestic partnership and you and your spouse or partner own most of your property together, a shared trust may be the right way to go. If not, a Revocable Living Trust is the way to go.

2. Name and address of Person Wanting Trust: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

3. Decide what items to leave in the trust. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

You probably don't want to hold all your property in your living trust -- just the big ticket items that would other wise go through probate.

## 4. If you want to have a bank account on your

##  Trust:

a. Last four digits of account number:

b. Name of Banking institution

c. If a set amount what is it $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. If

 not and you just want to leave what’s in an

 account for someone, then circle yes. Yes.

## 5. Name and address of person who will be the

##  Acting/ [s](https://www.nolo.com/legal-encyclopedia/the-successor-trustees-job)uccessor Trustee for your trust property or assets. ( the

##  person in charge of your Trust in case you are incapable, and

##  responsible for the disbursement of your Trust to your

##  Beneficiaries).

##  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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For most people, choosing family members, friends, or charities to be the Trustee to your property is easy. Your trust must name someone to serve as "[successor trustee](https://www.nolo.com/legal-encyclopedia/the-successor-trustees-job)," to distribute trust property to the beneficiaries after you have died. Many people choose a grown son or daughter, other relative, or close friend to serve as successor trustee. It's perfectly legal to name a trust beneficiary—that is, someone who will receive trust property after your death. In fact, it's common. 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.

## 6. Name and address of person to be your Beneficiary(s). \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

7. Name and address of person to manage property for youngsters, if need

 to,.. if different from successor trustee. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

If [children or young adults might inherit trust property](https://www.nolo.com/legal-encyclopedia/leaving-inheritance-children-29633.html), you should choose an adult to manage whatever they inherit. To give that person authority over the child's property, you can make him or her a property guardian, a property custodian under a law called the Uniform Transfers to Minors Act (UTMA), or a trustee.

8. Your Social Security Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

## 9. Your Email Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

## 10. Transfer title of property to yourself as trustee.

You can use Prose101’s Deed to get this step done.

This is a crucial step that, unfortunately, some people never take. But to make your trust effective, you must hold title to trust property in 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 Revocable Living Trust dated June 4, 20xx."

## **Once we return your Living Trust and you’ve notarized and signed it, store your trust documents safely.**

You don't need to file your trust document with a court, Attorney General’s Office, or any government agency. Just keep it in a safe place--for example, a small fireproof home safe--and tell your successor trustee where the trust document is and how to get access to it when the time comes.