



Administering Trusts

Q: What is a legal trust?

A: A trust is a private contract between you (Grantor) and a person you name (Trustee) to manage your affairs. This can be for you or for the benefit of your loved ones (Beneficiary). Some of the things a trust can help accomplish include:

- Keeping your matters private
- Avoiding probate
- Keeping family members from objecting to your estate plan
- Providing for loved ones
- Minimizing estate taxes
- Managing your financial affairs

Q: What are the types of trusts?

A: There are many types of trusts designed for different purposes.

This approach is often used to provide for someone who is unable to manage his or her own affairs. For example, sometimes families will establish a trust to provide for an adult with a severe disability or an elderly person with Alzheimer's, etc.

Another form is a charitable trust, where assets are designated for the benefit of a charitable organization or church.

Q: What is the role of the trustee?

A: To manage the trust according to its stated guidelines and in the best interest of the beneficiary.

Q: Who should I choose to be the trustee?

A: A person or an organization can serve as the trustee. It is possible also to have more than one trustee; however some arrangement must be in place for decision making. In the absence of a trustee (e.g., deceased or unavailable) then the Probate Court may appoint someone to serve in that capacity.

Clearly, you should select a person or organization that you can trust. If possible, conduct a background check on anyone you are considering. At Guardian Finance and Advocacy Services we administer numerous trusts.

Q: How much does it cost?

A: This can vary. Most well drawn trusts will have a section that deals with fees.

Q: How can I track what the trustee is doing?

A: You may request, within the trust document, that the Trustee provide a regular accounting of your trust funds.

Q: How long does it last? Does it ever end?

A: The Grantor defines the timeline of the trust and this is included in the document.

Q: What if I change my mind?

A: Trusts can be revocable, meaning that the Grantor may decide that he/she no longer requires the services of the Trustee.

Q: What are the alternatives?

A: Alternatives include Power of Attorney, Conservator, and a Will.

Need more information? An attorney is the best source of information about types of trusts and the approach that will work best for your circumstance. Guardian administers several trusts and its staff can answer general questions and share some of our experience.

Disclaimer: This FAQ is for general informational purposes only.

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