

In Michigan, a Revocable Living Trust is often the "gold standard" for estate planning. While a Will is a good start, it is essentially a letter to a probate judge; a Trust, by contrast, is a private contract that allows your family to bypass the courthouse entirely.

Whether you are part of a couple, a widow(er), or a single individual, here are the compelling reasons why Michigan residents choose a Revocable Family Trust.

1. Avoiding the "Probate Tax" and Delay

In Michigan, if you die with a Will (or no plan at all), your assets must go through Probate Court.

- **Cost: Michigan charges an "Inventory Fee" (essentially a tax) based on the total value of your estate. When you add attorney fees and court costs, probate typically consumes 3% to 7% of an estate's value.**
- **Time: A standard Michigan probate case takes 6 to 18 months. During this time, your heirs may have limited access to the funds they need for funeral expenses or daily bills.**
- **The Trust Solution: Assets in a trust skip probate. Your successor trustee can often begin distributing funds or paying bills within days or weeks, not months.**

2. Privacy (Keeping Your Business Private)

When a Will is probated in Michigan, it becomes a public document. Anyone—from nosy neighbors to aggressive telemarketers—can go to the county records and see exactly what you owned, who you owed, and exactly who is getting your money.

- **The Trust Advantage: A Trust is a private document. It is never filed with the court, meaning your family's financial business stays behind closed doors.**

3. Planning for "Living Death" (Incapacity)

Estate planning isn't just about what happens when you pass away; it's about what happens if you can't make decisions for yourself due to a stroke, dementia, or an accident.

- **Without a Trust: Your family may have to petition a Michigan**

probate court for a Conservatorship to manage your finances. This is expensive, public, and requires ongoing court reports.

- **With a Trust: You name a "Successor Trustee." If you become incapacitated, that person steps in immediately to pay your mortgage and manage your investments without needing a judge's permission.**

4. Protecting Heirs from Themselves (and Others)

If you leave money via a Will, Michigan law generally requires it to be handed over to the heir outright. A Trust allows you to be the "hand from the grave" to protect your loved ones:

- **The "Spendthrift" Child: You can stagger distributions (e.g., 1/3 at age 25, 1/3 at 30, etc.) rather than giving a 18-year-old a massive check.**
- **Divorce & Creditors: You can structure the trust so that if your child gets divorced, the inheritance stays in the family and doesn't go to the ex-spouse.**
- **Blended Families: For couples with children from previous marriages, a trust ensures your spouse is cared for during their life, but the remaining principal eventually goes to *your* children, not a new spouse or step-children.**

5. Specific Michigan Benefits

- **Out-of-State Property: If you own a cabin in another state (like Florida or Wisconsin), a Michigan Trust prevents your family from having to open two separate probate cases in two different states.**
- **The "Lady Bird" Alternative: While Michigan allows "Lady Bird Deeds" to transfer homes without probate, a Trust is far more flexible for handling bank accounts, businesses, and personal belongings.**