

THE GOFF LEGAL TRUST FUNDING TOOLKIT

Because a Trust without assets is just a very expensive stack of paper.

THE "BUCKET" ANALOGY (AND WHY YOU'RE DOING THIS)

Think of your Trust as a high-tech, fireproof bucket. It's designed to carry your house, your bank accounts, and your investments safely past the "Probate Court" guards.

The Problem: Most people build the bucket and then leave it sitting in the garage while they carry their assets around in their pockets. If you die with your pockets full, those assets go to probate—even if you have a Trust sitting right there.

The Goal: We need to put your stuff inside the bucket. In lawyer-speak, this is called "Funding." In plain English, it just means changing the "Owner" name on your accounts from You to Your Trust.

How to Use This Toolkit:

1. **Check Your Roadmap:** Open your binder to the Schedule of Assets (Schedule A) we created for you. That is your "To-Do" list for everything you currently own.
2. **Follow the Steps:** Use the checklists in this guide for each type of asset you own.
3. **Don't Panic:** If you get stuck, don't just guess. Come to a Funding Huddle or email the office.

REAL ESTATE

In California, your house is the primary reason you need a Trust.

- **The Deed:** We usually handle your primary residence deed for you. Check your binder for the recorded copy under the "Trust Transfer Documents" tab.
- **Insurance:** You must notify your homeowner's insurance agent to ensure the Trust is listed as an "Additional Insured" on the policy. This usually does not affect your premium.
- **New Property:** If you buy a new house, proactively title it in the name of your Trust from day one.
- **The Refinance Alert:** Lenders often require you to take the house out of the Trust to refinance. You must deed it back in immediately after the loan closes to avoid probate.

BANK & BROKERAGE ACCOUNTS

- **What to Bring:** Bring your Certification of Trust to the bank.
- **The Secret:** Banks do NOT need a full copy of your Trust. They may ask for it, but the Certification is the legal substitute meant to protect your privacy.
- **Retitle vs. New Account:** You can either retitle existing accounts (checking, savings, money market) or open new ones in the Trust's name.
- **The POD Hack:** For accounts that are too difficult to retitle, add a "Pay on Death" (POD) designation naming the Trust as the beneficiary.
- **Trust ID:** Use your Social Security Number (or your spouse's) as the Trust ID.

THE "NON-TRUST" STUFF (BENEFICIARY DESIGNATIONS)

Some assets cannot be "owned" by the bucket. They are "pointed" to the bucket using Beneficiary Designations.

Retirement Accounts (IRA, 401k, 403b)

- Do NOT retitle these. They are managed by your Financial Power of Attorney if you are incapacitated.
- The Fix: Update your Beneficiaries to ensure they align with your plan. Naming the Trust as a beneficiary can have tax consequences, so review your specific instructions.

Life Insurance

- Update Designations: Ensure the Trust is named as the beneficiary so the proceeds are managed according to your Trust's instructions.
- Documentation: Keep copies of your declaration pages and beneficiary confirmation forms in your binder.

527, College Savings, and Custodial Accounts

- Update the successor owner on the account.
- Name a back up if the form will allow it.

Vehicles (Cars, Boats, Planes)

- Probate Threshold: California allows you to leave vehicles out of the Trust if their combined value is under \$208,850.
- Insurance: If you do move vehicles into the Trust, you must notify your insurance company to add the Trust as an "insured".

 *TIP: KEEP COPIES OF THE FORMS YOU COMPLETE WITH YOUR BINDER*

BUSINESS

Your Business (LLCs, Partnerships, Corps)

- Assignment of Interest: Your ownership interest in partnerships or LLCs must be formally assigned to the Trust.
- Future Entities: If you start a new business, ensure the initial setup includes the Trust as the owner.
- Don't forget about debts/loans you have made. Make sure they are listed in your assets.

DIGITAL ASSETS

- The Worksheet: Use the Digital Assets Worksheet in your binder to track login information for online accounts.
- Technical Access: Legal authority doesn't bypass passwords. Provide your Successor Trustee with access to your password manager or digital keys.

MINOR CHILDREN & GUARDIANSHIP

- Guardian of the Person: Makes decisions about where the kids live and go to school.
- Guardian of the Estate: Manages the money. We avoid court-supervised guardianship of the estate by naming the Trust as the beneficiary of accounts instead of the children directly.
- **The Talk:** Discuss the nomination with your chosen guardians to ensure they are prepared for the role.
- Write a letter to your guardians to give them extra guidance. Bonus...also write one to your kids.

MAINTENANCE & THE GOLDEN RULES

The "No Staple" Rule

- Do NOT remove the staples or bindings from your original documents. A missing staple can be used to argue that the document was tampered with. Use digital copies for your scanning.

The "No Pen" Rule

- Do NOT write on, cross out, or white-out names in the legal body of your Trust.
- The Exception: You are encouraged to write on your Personal Property Memorandum (jewelry/heirlooms) and your Schedule of Assets.

The "Three-Month" Rule

- Spousal Death: If a spouse passes away, meet with an attorney around the three-month mark. Certain tax planning options, like a bypass trust, must be acted upon within nine months.

Maintenance Trigger List

Review your plan annually (tax time is ideal) or if any of the following occur:

- Family: Marriage, divorce, or the death of a spouse or beneficiary.
- Health: Significant change in your health or that of your agents.
- Moving: Moving to another state or country.
- Wealth: Significant change in your income or net worth.

👉 *GOT QUESTIONS? FOLLOW YOUR SCHEDULE OF ASSETS ROADMAP. IF YOU GET STUCK, ATTEND A FUNDING WORKSHOP OR CONTACT THE OFFICE.*