

Will vs. Revocable Trust vs. Irrevocable Trust

| | WILL | REVOCABLE TRUST | IRREVOCABLE TRUST |
|---|-----------------------------|---------------------------------------|---|
| Best for Clients With: | Young Children & Few Assets | No LTC Concerns & Net Worth of \$3-5M | LTC Concerns OR Net Worth of \$2M+ & Tax Concerns |
| Can Appoint Guardian for Minor Children | Yes | No | No |
| COST FACTORS | | | |
| Typical Cost to Create for Married Couple | \$2000 | \$3000-\$4000 | \$3000-\$5000 |
| Fiduciary Commissions Paid to Distribute \$1M in Assets* | \$34,000 | \$10,000 | \$10,000 |
| Fiduciary Commissions Paid to Distribute \$10M in Assets* | \$234,000 | \$100,000 | \$100,000 |
| TIME SAVINGS | | | |
| Avoids Probate & Court Fees | No | Yes | Yes |
| Speed to Appoint Fiduciary | Typically 1-3 months | Immediate | Immediate |
| Speed to Administer | Typically 1-2 years | 1-3 months (most assets) | 1-3 months (most assets) |
| Court Forms to Complete | Several | None | None |
| EASE OF ADMINISTRATION | | | |
| Private ^Δ | No | Yes | Yes |
| Can Name Fiduciary with Ease | No | Yes | Yes |
| Works During Incapacity | No | Yes | Yes |
| Can Change Beneficiary | Yes | Yes | Yes† |
| TAX SAVINGS | | | |
| Potentially Saves Estate Taxes | No | No | Yes |
| May Reduce Income Taxes | No | No | Yes |
| Ability to Choose Governing Tax Law [⊠] | No | No | Yes |
| PROTECTION | | | |
| Protects Assets | No | Only after death | Yes |
| Protects for Special Needs & Disability | No | No | Yes |

* NY SCPA Section 2307/2309

^Δ Unless contested

[⊠] Except Real Estate

[†] Through Limited Power of Appointment

This chart is for informational purposes only. Please consult with a qualified estate planning attorney for advice based on your individual situation.