

# A Last Will and Testament May not be Private

By: Shannon Howell

[www.SANDIEGOCALIFORNIAESTATEPLANNINGPROBATEATTORNEY.COM](http://www.SANDIEGOCALIFORNIAESTATEPLANNINGPROBATEATTORNEY.COM)

A last will and testament which goes through the probate process becomes part of a public record as do most court records. Through the probate process, the court determines the personal representative and determines guardianships, debts owed, as well as assets available to pay debts of the decedent. The court will also determine which debts are part of estate administration costs. All these personal details become part of the public record.

## Assets can be Distributed without a Will

It is possible to leave all your assets without a will. One or more trusts can be established to hold all your assets, and even personal property, and the property then transfers to the beneficiaries without going through probate and without becoming part of any public record.

Insurance proceeds, pensions, and other retirement accounts also do not need to be mentioned in a will. Named beneficiaries should receive the benefits of the policies or accounts without any court intervention. The assets are then transferred without becoming part of a public record. Most bank accounts also offer a beneficiary option which is another way to make a smooth transfer of accounts without mentioning them in a will.

## Getting Legal Help

Many public figures establish trusts to keep the details of their gifts to beneficiaries private, but everyone should give careful consideration to what information they put in their wills. Experienced California Estate Planning Attorney Shannon Howell can help you create the estate plan you need to protect your assets and your loved ones. **Contact us today to discuss your individual planning needs at (619)-739-4657.**

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