



# How & Why to Avoid Probate in California

*A Guide from Huber Law Group*

## What Is Probate?

Probate is the court-supervised process of distributing a person's assets after death. In California, probate can be time-consuming, expensive, and public.

## Why Avoid Probate?

### 1. Save Time

Probate often takes 9–18 months (or longer), delaying distributions to your loved ones.

### 2. Reduce Costs

California probate fees are set by law and can be significant- often thousands of dollars paid from your estate.

### 3. Maintain Privacy

Probate is a public process, meaning your assets, debts, and beneficiaries become part of the public record.

### 4. Minimize Stress for Your Family

Court filings, deadlines, and legal procedures can create unnecessary burdens during an already difficult time.



## How to Avoid Probate

### ✓ Create a Revocable Living Trust

The most effective way to avoid probate. Assets held in a trust pass directly to your beneficiaries without court involvement.

### ✓ Properly Fund Your Trust

A trust only works if assets are properly titled in its name. This step is critical.

### ✓ Use Beneficiary Designations

Accounts like retirement plans and life insurance can pass directly to named beneficiaries.

### ✓ Hold Property Jointly (When Appropriate)

Joint ownership with right of survivorship can allow assets to transfer automatically.

### ✓ Consider Transfer-on-Death Options

Certain assets, including real estate and financial accounts, may allow designated beneficiaries.

## Common Mistakes to Avoid

- Creating a trust but not funding it
- Outdated or incorrect beneficiary designations
- Relying solely on a will (which does NOT avoid probate)
- Failing to update your plan after major life events



## **Questions? Contact Huber Law Group**

At Huber Law Group, we guide clients through smart, efficient estate planning designed to avoid probate and protect what matters most.

Personal Service. Expert Advice. Guidance You Can Trust.

Contact Huber Law Group Today to schedule a no-cost initial consultation.