



Probate vs. Trust Administration: What's the Difference?

A Simple Guide for California Families

When a loved one passes away, their assets must be transferred to beneficiaries. How that happens depends on whether they had a trust. Here's what you need to know:

What Is Probate?

Probate is a court-supervised process for distributing a person's assets after death.

Key Features:

- Requires filing with the court
- Public process (records are accessible)
- Can take **9-18+ months**
- Involves statutory attorney and executor fees
- Judge oversees the process

When Is Probate Required?

- No trust was created
- Assets were not placed in a trust
- Estate exceeds California's "small estate" threshold



What Is Trust Administration?

Trust Administration is the process of managing and distributing assets held in a trust, without court involvement in most cases.

Key Features:

- Typically **no court supervision**
- Private process
- Faster distribution (often within months)
- Lower overall costs
- Managed by a successor trustee

When Does It Apply?

- The deceased created a living trust
- Assets were properly titled in the trust

Probate	Trust Administration
Court-supervised	Usually no court involvement
Public record	Private process
Slower (often over a year)	Faster (months, in many cases)
Higher fees	Typically lower costs
Judge makes final decisions	Trustee manages the process



Why It Matters

Understanding the difference between probate and trust administration can help clarify which type of estate plan to create: a trust-based plan (which avoids probate) or a will (which must pass through the Probate Court).

After a loved one has passed, their loved ones need to understand the difference between a probate and a trust administration, as they are very different processes. An experienced trust and estate attorney can help guide them through both processes.

How Huber Law Group Can Help

Whether you're facing probate or administering a trust, we guide you every step of the way with clarity and compassion. Our law firm offers:

- ✓ Probate representation
- ✓ Trust administration guidance
- ✓ Help for trustees and executors or personal representatives of the estate
- ✓ Clear communication and efficient timelines

Contact Huber Law Group

Contact Huber Law Group today to understand your options and move forward with confidence. To schedule a no-cost initial consultation, visit our website: huberlawgroup.com.