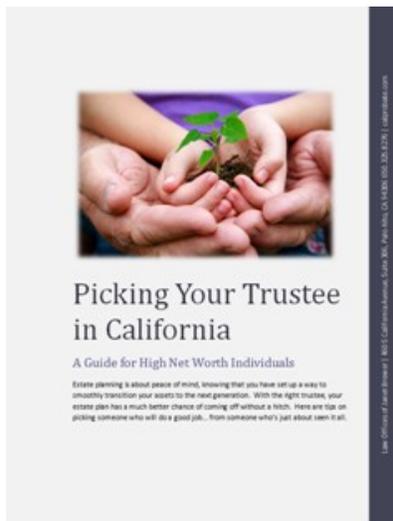


Picking Your Trustee in California Estate Planning - New Guide

Posted by Janet Brewer on Tue, Aug 24, 2010 @ 01:13 AM



Today I published a new guide, [*Picking Your Trustee in California: A Guide for High Net Worth Individuals*](#). It springs from 20+ years of focusing exclusively on [California probate law](#), estate planning, and gift-planning law.

The good and the bad

By now, for better or worse, I've just about seen it all:

- Trustees who can't manage money
- Trustees who can't meet deadlines
- Trustees whose commitment peters out too soon, and even
- [Trustees who embezzle](#) funds (and, wouldn't you know it, rationalize the stealing)

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Whatever the cause, the effects of choosing a poor trustee can be dire. Family members become resentful and estranged. Savings built up over a lifetime are poured into avoidable expenses. And the estate plan is not realized.

Picking the right trustee is crucial

The good news is that with the right trustee, your estate plan has a much better chance of coming off without a hitch. In the new 13 page guide we put out today, I outline the “job description” of a trustee in California, and common mistakes to avoid.

At the end is a worksheet to help individuals with [high net worth](#) pick someone who will do a good job.

While we like to think of a trust as taking care of all your estate planning concerns, it’s actually the trustee who has to carry out the orders. Choosing a trustee is not just bestowing an honor, it’s assigning a real job. There will be forms to fill out, letters to write and bills to pay. Trustees have a special duty to always act in the best interests of the estate and beneficiaries, and not intentionally do anything or make any decisions that could harm them.

The oldest isn't necessarily the best choice

Some people automatically pick the oldest child in a family, or a family friend to do the job. That person might have the right temperament and skills, but it’s wise to think through the choice. A bad trustee might delay distributing the assets, fail to account for assets, or otherwise mismanage the estate. A really bad one might even embezzle.

In this guide I go through several options when making choices, including the idea of [hiring a professional trustee](#) for a fee. Whatever choice you make, take time to think it through. That’s where an estate planning attorney can be a big help.

Your turn

Do you have experiences or questions to share about picking a trustee? Please use the comments area below to contribute.

Download the free 13 page guide

[Download the free guide](#) here on our website or visit www.calprobate.com/picking-trustee-in-CA