

UNDERSTANDING ESTATE PLANNING VOCABULARY

There are many terms used in estate planning that are not used in normal conversation, or that have a particular meaning for estate planning purposes. Some of the terms are:

Settlor (also called Trustor or Grantor): The person that puts their property into a trust but still owns the property

Trustee: The person that manages the trust (can be the same person as the Settlor)

Executor: The person that gathers and distributes the property that passes by will, under supervision by the probate court

Intestate: Died without a will (A testator is a person that writes a will)

Probate: The court process for approving a will, settling any disputes about the distribution of property under a will or to intestate heirs, overseeing sales of property, payment of creditors, accountings, and distribution of the estate assets.

Guardian of the Person: Physically takes care of a minor child in place of the parents

Guardian of the Estate: Manages the money for a minor child if other provisions haven't been made

Conservator: Manages the money or has personal power over an adult incapacitated person after a court appointment process

Custodian: Manages the money for a child up to the maximum age of 25, using their discretion

Trustee of a Child's Trust: Manages the money for a child based on the terms of the trust

Attorney in Fact: A person given power over the finances of another person with a power of attorney; also can be called an agent