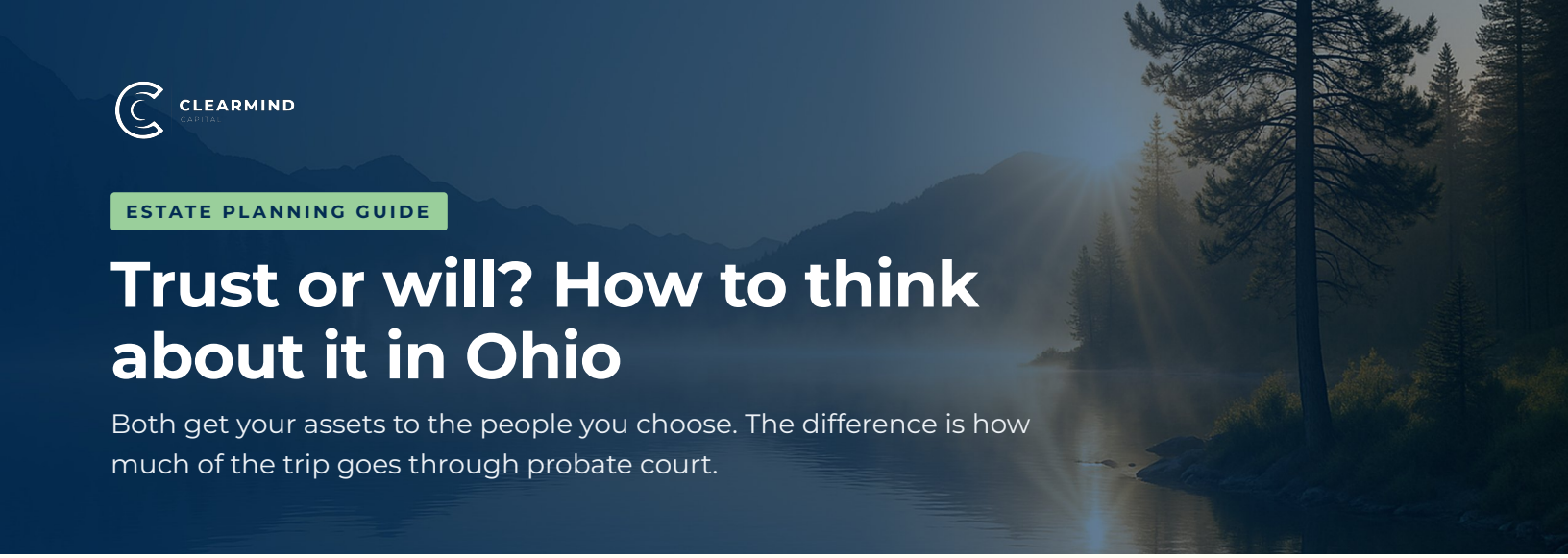


CLEARMIND CAPITAL

ESTATE PLANNING GUIDE

Trust or will? How to think about it in Ohio

Both get your assets to the people you choose. The difference is how much of the trip goes through probate court.

A will is a set of instructions for the probate court. A revocable living trust is a container you set up now, put your assets into, and control for as long as you're alive and well. When you die, the successor trustee you picked follows your instructions, usually without a court case for the assets inside the trust.

Side by side

	Will-based plan	Trust-based plan
Probate	Assets in your name alone go through probate court	Assets titled to the trust usually skip probate
Privacy	A probated will becomes a public court record	The trust stays private
If you're incapacitated	Relies on your financial power of attorney	Your successor trustee steps in to manage trust assets
Staged inheritances for kids	Possible through a testamentary trust, which the court oversees	Built in, managed privately by your trustee
Property in more than one state	Can mean a probate case in each state	Out-of-state property titled to the trust avoids that
Upfront work	Lower. Sign and done.	Higher. The trust has to be funded (retitled or beneficiaries updated)
Taxes and creditors	No difference. A revocable trust doesn't reduce income or estate taxes or shield assets from your creditors.	

You still get a will with a trust

A trust-based plan includes a short "pour-over" will. It catches anything you forgot to put in the trust and sends it there. Assets that pass through the pour-over will may still need probate, which is why funding the trust matters so much.

When a will may be enough

If you rent, have no minor children, and most of your money sits in retirement accounts and life insurance with up-to-date beneficiaries, a will-based plan can work well. Ohio also lets you name a transfer-on-death beneficiary for real estate and vehicles, which keeps those assets out of probate without a trust. Ohio offers a

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simplified release from administration for small estates: $35,000 or less, or up to $100,000 when everything goes to a surviving spouse.

When a trust usually earns its keep

- You own a home or other real estate, especially in more than one state
- You have minor children or want inheritances released in stages
- You have a blended family and want to be precise about who gets what
- You want your affairs kept private
- You want a clear plan for someone to manage your money if you become incapacitated

A note on estate tax

Ohio repealed its estate tax for deaths on or after January 1, 2013. The federal estate tax exemption is $15,000,000 per person for 2026. Few households come near it. If you're close, talk with an estate planning attorney about planning beyond a revocable trust.

Sources: Ohio Revised Code 2113.03 (release from administration), IRS "What's new: Estate and gift tax" (2026 exclusion). ClearMind Capital is not a law firm and does not give legal advice.

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