

# The Disadvantages of Probate

Scott Mehr

**Time Consuming:** The probate process can take a few months or as long as several years to complete. The average probate takes about 12 months. In complex situations probate lasting 18 months to two years is not unusual.

**Costly:** Attorney's fees to probate an estate can run into thousands of dollars. In addition, the executor, inheritance tax referee, and other officers of the court must be compensated. All related probate fees must be paid before any of the decedent's assets are distributed to the family.

**Loss of Control:** The probate court controls the entire process. Someone "on the outside" will tell your beneficiaries who gets what and when.

**Lack of Privacy:** All probate transactions are a matter of public record. Anyone can find out the size, contents and beneficiaries of your estate. This can be embarrassing and frustrating for your family, create disputes, and expose your family to unscrupulous solicitors.

***Probate is time consuming, inconvenient, and expensive. Even at best, probate is an unpleasant, emotionally trying experience. At worst, it can be a nightmare.***