

Comprehensive Transfer Form

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Your living trust can only control the assets that it owns. Transferring ownership of your assets to your trust is done on an asset-by-asset basis, one asset at a time. The process is not difficult but it does take time and require close attention to detail.

The comprehensive transfer form transfers all assets to your living trust, including those that do not have a formal title. Things such as personal property, family heirlooms, collections, etc. are specifically referred to and covered by the comprehensive transfer form.

With every trust document we create a pour-over will. The primary purpose of the pour-over will is to transfer title of assets to the living trust upon death, if assets were not transferred prior to death. Relying on a pour-over will to fund the trust requires probate, however.

Like the pour-over will, another purpose of the comprehensive transfer form is to document your intent that all assets you owned when you created your trust should be transferred to your living trust.

There have been instances where the courts have permitted the use of a comprehensive transfer form in lieu of the pour-over will for the purpose of funding a trust. The comprehensive transfer form is a precautionary document that provides the basis for requesting the court to wave probate, if assets were not properly funded during your lifetime.

You should not rely on the comprehensive transfer form to fund your trust. The only acceptable way to transfer title is asset-by-asset.