

Estate Plan Comparison	No Estate Plan	Will-Based Estate Plan	Trust-Based Estate Plan
Planning Documents	None	Simple Will, Durable Financial Power of Attorney, Patient Advocate Designation, Funeral Representative Designation	Revocable Living Trust, Pour-Over Will, Durable Financial Power of Attorney, Patient Advocate Designation, Funeral Representative Designation
Healthcare Decisions If You Become Disabled	A court will likely appoint a guardian to make medical decisions for you.	Your patient advocate designation can help avoid court involvement.	Your patient advocate designation can help avoid court involvement.
Financial Decisions If You Become Disabled	A court will likely appoint a conservator to make financial decisions for you.	Your durable power of attorney can help avoid court involvement.	Your successor trustee and named agents in your durable power of attorney can handle your personal and financial affairs privately, without the court.
Court Costs at Disability	High — you'll need court proceedings for guardianship or conservatorship.	Low — your trustee and agents act privately; thus, court involvement may be avoided.	Low — your trustee and agents act privately; thus, court involvement may be avoided.
What Happens at Death	The state distributes your assets under Michigan's intestate succession laws.	Your will determines how your assets are distributed, but they must go through probate.	Your funded trust directs asset distribution privately, without probate.
Court Costs After Death	High — the full probate process is required.	Moderate — probate is required but more straightforward with a valid will.	Low — your funded trust property can avoid probate.
Time to Settle Affairs	Long — probate often takes 9 to 18 months.	Shorter — however, a will-based estate still goes through probate.	Shorter — your successor trustee can distribute trust assets without authority from the probate court.
Flexibility and Control During Life	None — the Michigan Legislature and Probate Courts control your affairs.	Moderate — your agents can act while you're alive, but all assets go through probate when you pass.	High — you keep full control while living; your successor trustee can distribute trust assets without authority from the probate court.
Privacy	Low — probate records and inventories are public.	Low — all probate filings are public.	High — trust administration can be private and avoid being filed with the court.
Control Over Beneficiary Payouts	None — assets are released according to state law.	Limited — your will distributes assets in one lump sum after probate.	Full control — you can specify when and how each beneficiary receives assets (immediate, staged, or conditional).
Protection Against Beneficiary Creditors	None — beneficiaries receive assets outright.	None — no creditor protections built into will distributions.	Strong — you can include creditor protection within the trust.

