BOTELHO LAW GROUP • ESTATE PLANNING

The Trust Funding Checklist

Find out in about ten minutes whether your trust actually owns anything.

How to use this

Signing a trust creates the container. It does not put anything inside it. That second step — funding — is where most estate plans quietly fail. This page walks the same list, category by category, that we walk when a client brings in a binder and asks whether it is doing anything.

Print it. Work through it. Write down what you actually find, not what you remember deciding. Then bring this page and your binder to a consultation.

STEP 1 Your house — read the recorded deed

Massachusetts registries of deeds are searchable online at masslandrecords.com. Choose your county, search your name or property address, and open the most recently recorded deed.

You are reading exactly one line: whose name is on it.

What the owner line says	Write it here
☐ My name / our names individually ☐ The name of my trust, as trustee ☐ Something else, or I could not tell	Name shown on deed: _________________________ Date recorded: ____________

If it shows your name and not your trust, the house is not in the trust — regardless of what is in the binder.

STEP 2 Retirement accounts and life insurance — read the beneficiary forms

These are generally NOT retitled into a trust. They pass by beneficiary designation. Log in to each account and read what the form says today — not what you remember choosing.

Account or policy	Institution	Primary beneficiary shown	Contingent shown
401(k) / 403(b)			
IRA			
Roth IRA			
Life insurance			
Annuity			
Other			

Flag anything that shows an ex-spouse, a deceased person, a minor child, or a blank. Any of those is worth a conversation.

STEP 3 Bank and brokerage accounts — check the account title

These generally ARE retitled into the name of the trust. Look at a statement or the account name on your login screen.

Institution	Account type	Titled in trust name?
	Checking	☐ Yes ☐ No ☐ Not sure

Institution	Account type	Titled in trust name?
	Savings	☐ Yes ☐ No ☐ Not sure
	Brokerage	☐ Yes ☐ No ☐ Not sure
	CD / money market	☐ Yes ☐ No ☐ Not sure

STEP 4 Everything else — the items funding lists usually stall on

- ☐ Vehicles, boats, trailers
- ☐ Business interests — LLC, partnership, closely held stock (check for transfer restrictions)
- ☐ Real estate other than the primary home — rental, vacation, land, out-of-state property
- ☐ Valuable personal property — jewelry, collections, firearms, art
- ☐ Safe deposit box
- ☐ Digital accounts with real value

STEP 5 Know what your pour-over will actually does

Most trust plans include a pour-over will. It catches what you forgot and directs it into the trust — but everything it catches goes through probate first.

It protects where the asset ends up. It does not protect your family from the court process. It is insurance against forgetting a small account, not a substitute for funding.

STEP 6 What your answers mean

If you found...	What it means
Deed in your own name	The house is not in the trust and would go through probate. This is the single highest-value item on the page. Do not attempt the deed yourself — a deed done wrong can create title, tax, and benefits-eligibility problems worse than the probate you were avoiding.
A surprise on a beneficiary form	That form overrides your will and your trust for that account. Usually straightforward to correct, and worth correcting immediately.
Accounts not titled in the trust	Each one is a separate probate asset. Most institutions have a routine retitling process.
Everything checks out	Good. Re-run this page after any move, sale, refinance, marriage, divorce, birth, or death in the family.

STEP 7 Bring these to your consultation

- ☐ This completed page
- ☐ Your trust binder, including the pour-over will
- ☐ A copy or printout of your recorded deed
- ☐ Recent statements for the accounts listed above

Want someone to open the binder and tell you what you actually have?

Botelho Law Group • Free consultation

Phone: 508-500-1551 Schedule: https://botelholawgroup.com/lets-connect/

Website: https://www.botelholawgroup.com/