

Glossary of Estate Planning Terms

Administration: The management of a decedent's estate including the payment of expenses, debts and obligations, and the general settling of the estate.

Administrator: An individual or entity, such as a trust department, appointed by a court to settle the estate of a person who has died without leaving a valid will.

Beneficiary: Person or entity entitled to receive benefits from a will, insurance policy, trust agreement or employee benefit plan.

Corporate Trustee: A trust institution serving as trustee.

Durable Power of Attorney: A power of attorney that will come into effect and remain in effect and valid if the person who grants the power becomes incapacitated.

Estate: The real and personal property of a decedent; a specific interest in property.

Fiduciary: An individual or entity in position of trust who has accepted the duty of acting for the benefit of another.

Grantor/Settler: A person who transfers property. The creator of a trust.

Irrevocable Trust: A trust that, by its terms, cannot be revoked by the grantor.

Living Trust: A trust that is operative during the life time of the grantor; opposed to a trust under will or testamentary trust. Also known as an *inter vivos* trust.

Power of Attorney: A legal document appointing someone to act as one's agent with legal authority to sign your name, on your behalf, in your absence. Ends at incapacity (unless it is a durable power of attorney) or death.

Probate: The legal process wherein the estate of a decedent is administered which includes the process of proving validity of a will in court and executing its provisions under the guidance of the court.

Remainderman: The person who is entitled to an estate after the prior estate has expired.

Revocable Trust: A trust that by its terms may be terminated by the settler or by another person.

Successor Trustee: Person or institution named in the trust document who will take over should the first trustee die, resign or otherwise become unable to act.

Trust: An entity that holds assets for the benefit of certain other persons or entities.

Trustee: Person or institution who manages and distributes another's assets according to the instructions in the trust document.

Will: A written document with instructions for disposing of an individual's assets after death.