



Chicago Estate Planning Council

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When is a trust helpful?



- To promote the privacy of the settlor's estate plan. Upon an Illinois resident's death, that person's will must be filed with the clerk of the court in the county where the deceased person resided. Thus a will is a public record. A trust agreement is not filed with the clerk of the circuit court or in any other public record. If the dispositive provisions (who gets what) of an estate plan are contained in a trust, those provisions are generally not subject to public scrutiny.

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