

What Happens If You Die Without a Trust in California

The Probate Process • Costs • Timeline • How to Avoid It

The California Probate Process

If you pass away without a trust, your estate will likely go through probate — a court-supervised process to validate your will (or determine who inherits if there is no will), pay debts, and distribute assets. In California, probate is mandatory for estates exceeding \$184,500 in non-trust assets (as of 2026).

What Probate Costs in California

California sets statutory attorney and executor fees based on the gross estate value (California Probate Code §10810). These fees apply to gross value — before debts:

Estate Value	Attorney Fee	Executor Fee	Total Minimum
\$500,000	\$13,000	\$13,000	\$26,000
\$750,000	\$18,000	\$18,000	\$36,000
\$1,000,000	\$23,000	\$23,000	\$46,000
\$2,000,000	\$33,000	\$33,000	\$66,000

Probate Timeline

A typical California probate takes 12 to 24 months, though complex estates can take longer. During this time, assets are generally frozen and cannot be accessed by heirs.

How a Living Trust Avoids All of This

- ✓ No probate required — assets transfer immediately and privately
- ✓ No statutory fees — your family keeps more of your legacy
- ✓ No court involvement — your successor trustee handles everything
- ✓ No public record — your estate remains private
- ✓ No asset freeze — your family can access funds when they need them

Protect your family from probate. Schedule your consultation at www.woodlegalgroup.com/book