Lady Bird Deed vs. Revocable Living Trust

COMPARING TWO WAYS TO PASS FLORIDA REAL ESTATE OUTSIDE PROBATE

Feature	Lady Bird deed	Revocable living trust
Property covered	Usually one specifically described parcel	Can hold and administer real estate, bank/investment accounts, business interests, and other assets
Owner's lifetime control	Owner retains broad control if enhanced powers are clearly drafted	Grantor usually retains control as trustee and can amend/revoke while competent
Probate avoidance	Avoids probate for the deeded real property if effective	Avoids probate for assets properly transferred to/funded in the trust
Incapacity planning	Limited; deed itself does not appoint a manager for the owner's incapacity	Stronger; successor trustee can manage trust assets upon incapacity under the trust terms
Privacy	Recorded deed and beneficiary names are public	Trust terms and beneficiary dispositions are generally private, though deeds transferring real estate remain recorded
Beneficiary contingencies	Must be carefully drafted into the deed; can become cumbersome	Can address deaths, descendants, age conditions, special needs, staggered distributions, and alternate beneficiaries comprehensively
Multiple heirs	Often results in direct co-ownership after death	Trustee can manage, sell, divide proceeds, or hold property under stated rules
Heir creditor/divorce protection	Generally none after the beneficiary receives title	Can include continuing protective or spendthrift trust provisions for beneficiaries
Upfront cost and maintenance	Usually lower and simpler for a single uncomplicated property	Higher setup cost and requires proper funding and periodic updates
Florida legal certainty	Used in practice, but lacks a detailed statutory template and can raise title-insurance questions	Established trust law framework; effectiveness still depends on correct execution and funding

OFTEN A GOOD FIT

Lady Bird deed

One competent owner has a clean title, a simple succession plan, one trusted adult beneficiary or a small group likely to cooperate, and the goal is probate avoidance for that one property.

COMMONLY MORE APPROPRIATE

Revocable living trust

There are multiple assets, blended-family concerns, minors, special-needs planning, beneficiary-protection goals, rental-property management, anticipated incapacity, or a desire for detailed contingency planning.

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Educational overview only, not legal advice. The language of each recorded deed controls.