

9th Annual Dynasty Trust State Rankings

For you. For them. For generations to come.

Rank	State	Perpetuities Statute	Rule Against Perpetuities (40% weight)	State Income Tax (25% weight)	Third-Party Spendthrift Trust Provision Effective Against Divorcing Spouse/ Child Support (Divorcing Spouse – 7.5% weight/ Child Support – 2.5% weight)	Discretionary Trust Protected from Divorcing Spouse/ Child Support (2.5% weight)	Domestic Asset Protection Trust State Ranking (10% weight) ₁	Trust Decanting State Ranking (10% weight) ₂	Non-Judicial Settlement Agreement Statute (2.5% weight)	Total Score
1	SD	SD Codified L § 43-5-8	Perpetual	No	Protected	Protected	Ranked #2	Ranked #1	Yes	99.5
2	NV	NV Rev Stat § 111.1031	365 years	No	Protected	Protected	Ranked #1	Ranked #2	Yes	98.5
3	TN	TN Code § 66-1-202(f)	360 years	No (except dividends/ interest on residents)	Protected	Protected	Ranked #6 (tie)	Ranked #4	Yes	95
4	AK	AK Stat § 34.27.051	Perpetual/ 1,000 years if exercise power of appointment	No	Protected	Protected	Ranked #8	Ranked #8 (tie)	No	93.5
5 (tie)	RI	RI Gen L § 34-11-38	Perpetual	No (except residents)	Protected	Protected	Ranked #9	Ranked #14	No	88
5 (tie)	WY	WY Stat § 34-1-139	1,000 Years	No	Divorcing spouse = Protected Child support = Not Protected (WY Stat § 4-10-503(b))	Protected	Ranked #12	Ranked #13	Yes	88
7 (tie)	DE	25 DE Code § 503	Perpetual for personal property / 110 years for real estate	No (except residents)	Divorcing spouse = Not Protected Child support = Not Protected (Garretson v. Garretson (1973))	Protected	Ranked #6 (tie)	Ranked #3	Yes	86
7 (tie)	OH	Ohio Rev Code § 2131.09 (B) and (C)	Perpetual/ 1,000 years if exercise power of appointment	No (except residents)	Divorcing spouse = Not Protected Child support = Not Protected (Ohio Rev Code § 5805.02(B)(1))	Protected	Ranked #3	Ranked #6	Yes	86
9	MO	MO Rev Stat § 456.025	Perpetual	No (except residents)	Divorcing spouse = Not Protected Child support = Not Protected (Mo. Rev. Stat. § 456.5-503(2))	Protected	Ranked #4	Ranked #7	Yes	85
10	NH	NH Rev Stat § 564:24	Perpetual	No (except dividends, interest on residents)	Divorcing spouse = Not Protected Child support = Not Protected (NH Rev Stat § 564-B:5-503(b)(1)-(2))	Protected	Ranked #11	Ranked #5	Yes	84
11	IL	765 ILCS 305/3	Perpetual	No (except residents)	Divorcing spouse = Protected Child support = Not Protected (735 ILCS 5/2-1403 codifying In re Matt (1985))	Protected	None	Ranked #8 (tie)	Yes	83.5
12	FL	FL Stat § 689.225(2)(f)	360 years	No	Divorcing spouse = Not Protected Child support = Not Protected (FL. Stat § 736.0503(2)(a) codifying Bacardi v. White (1985))	Writ of garnishment allowed for spouse, former spouse, child support (FL Stat § 736.0503(3); Berlinger v. Casselberry (2013))	None	Ranked #15	Yes	70

Source: Steve Oshins, Law Offices of Oshins & Associates³

200 S. Virginia Street, Suite 400, Reno, NV 89501 | 888.438.6426 | www.dunhamtrust.com

Benefits of a Nevada Dynasty Trust

A Nevada Dynasty Trust allows you to pass your assets to both existing children and grandchildren and to generations and descendants not yet born.

A Nevada Dynasty Trust has many advantages:

- ✓ It allows you to establish a 365-year legacy for your future descendants.
- ✓ No state income tax on undistributed Trust income.
- ✓ Potential protection from creditors.
- ✓ When properly set-up, it can allow you to establish the Trust without the burden of estate, gift, and generation-skipping transfer tax.

You can also use a Nevada Dynasty Trust to encourage each generation to continue to focus on areas that may be important to you. Some examples are:

- ✓ Encouraging each generation to contribute to society by tying distributions to certain behaviors.
- ✓ These Trusts can be used to provide a source of funding for the education of as yet unborn generations.
- ✓ To create, in essence, a family bank that could make loans, enabling your descendants to begin a business or purchase a home.

A Nevada Dynasty Trust is an excellent way to provide a benefit not only for your children or grandchildren, but for generations to come.

Disclosures:

¹The Domestic Asset Protection Trust State Ranking column is based on the 11th Annual Domestic Asset Protection Trust State Rankings Chart created in January 2020 at http://www.oshins.com/images/DAPT_Rankings.pdf.

²The Trust Decanting State Ranking column is based on the 7th Annual Trust Decanting State Rankings Chart created in January 2020 at http://www.oshins.com/images/Decanting_Rankings.pdf. This Dynasty Trust State Rankings Chart created in October 2020. Original Dynasty Trust State Rankings Chart created in October 2012.

Copyright © 2012-2020 by Steve Oshins (soshins@oshins.com / www.oshins.com / (702) 341-6000, ext. 2). All rights reserved.

³Steve Oshins is a member of the Law Offices of Oshins & Associates, LLC in Las Vegas, Nevada. He is rated AV by the Martindale-Hubbell Law Directory and is listed in The Best Lawyers in America®. He was inducted into the NAEPC Estate Planning Hall of Fame® in 2011 and has been named one of the Top 100 Attorneys in Worth. He can be reached at 702-341-6000, ext. 2 or soshins@oshins.com. His law firm's website is www.oshins.com.

This material is provided for informational and educational purposes only by Dunham Trust Company and may not be comprehensive. The information set forth was obtained from a source that we believe to be reliable, and does not necessarily reflect the views or opinions of Dunham Trust Company. The information presented should not be construed as legal, accounting, tax or investment advice from Dunham Trust Company. Please consult with your professional legal and/or tax advisor.

Dunham Trust Company is a privately held trust company founded in August, 1999. It is licensed in the States of Nevada and Colorado and is regulated by the State of Nevada, Department of Business and Industry, Financial Institutions Division.