

Jurisdiction Showdown

The Vital Importance of Choosing the Correct Trust Jurisdiction

	South Dakota	Nevada	Wyoming	Alaska	Delaware
Dynasty Trusts	Yes <i>Ranked as #1 [1]</i>	Yes <i>Ranked as #2 [1]</i> <i>State constitution prohibits modification to RAP [2]</i>	Yes <i>Ranked as #5 [1]</i> <i>State constitution prohibits modification to RAP [2]</i>	Yes <i>Ranked as #4 [1]</i>	Yes <i>Ranked as #6 [1]</i>
State Income Taxation	No	No	No	No <i>Future uncertain</i>	No <i>Only for non-residents</i>
Community Property Trusts	Yes [3] <i>Effective July 1, 2016</i>	Yes <i>Only for residents</i>	No	Yes <i>Future uncertain</i>	No
Domestic Asset Protection Statute	Yes [4] <i>2 year statute of limitations</i> <i>Exception for child support</i>	Yes [4] <i>2 year statute of limitations</i> <i>No exceptions for child and spousal support</i>	Yes [4] <i>4 year statute of limitations</i> <i>Exception for child support</i>	Yes [4] <i>2 year statute of limitations</i> <i>Exception for divorcing spouse</i>	Yes [4] <i>4 year statute of limitations</i> <i>Exceptions for child and spousal support</i>
Trust Protector	Yes	Yes	Yes	Yes	Yes
Directed Trusts	Yes	Yes	Yes	Yes	Yes
Decanting Statute	Yes <i>Ranked as #1 [5]</i>	Yes <i>Ranked as #2 [5]</i>	Yes <i>Ranked as #10 [5]</i>	Yes <i>Ranked as #7 [5]</i>	Yes <i>Ranked as #5 [5]</i>
Trust Privacy Provision	Yes - Total Privacy Seal Forever <i>Automatically attaches</i> <i>"Of the top tier trust jurisdictions, South Dakota has the best trust privacy laws." [2]</i>	No Total Privacy Seal [2] <i>Subject to judge discretion</i>	No Total Privacy Seal [2] <i>Subject to judge discretion</i>	No Total Privacy Seal [2] <i>Subject to judge discretion</i>	Yes - Three Year Privacy Seal [2] <i>Subject to judge discretion</i>
Special Purpose Entity	Yes [2]	Yes [2]	Yes [2]	Yes [2]	Yes [2]
Insurance Premium Tax	8 basis points [2]	350 basis points [2]	75 basis points [2]	10 basis points [2]	200 basis points [2]

* Denotes superior distinction among jurisdictions.

[1] - see Attorney Steve Oshins "4th Annual Dynasty Trust State Rankings Chart"

[2] - see "Which Situs is Best in 2016?" in *Trusts & Estates Magazine*, January 2016

[3] - see *South Dakota Special Spousal Trusts, House Bill 1039 (2016) (Sections 29-42)*

[4] - see Attorney Steve Oshins "6th Annual Domestic Asset Protection Trust State Rankings Chart"

[5] - see Attorney Steve Oshins "3rd Annual Trust Decanting State Rankings Chart"



Bridgeford Trust Company is a boutique independent trust company providing progressive trust administrative services to domestic and international families around the world. Bridgeford Trust delivers tremendous control and flexibility to settlors and beneficiaries of trusts, as well as their advisors, through South Dakota's cutting edge modern trust laws, including directed trusts, self-settled asset protection trusts, and decanting.

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