

# Choosing the Correct Trust Jurisdiction: *An Objective Comparison*

	South Dakota	California
Dynasty Trusts	Yes <i>Ranked as #1</i> <sup>[1]</sup>	No
State Income Taxation	No	Yes <i>13.3%</i>
Community Property Trusts	Yes <sup>[3]</sup>	No
Domestic Asset Protection Statute	Yes <sup>[4]</sup> <i>2 year statute of limitations Exception for child support</i>	No Domestic Asset Protection Statute
Trust Protector	Yes	No
Directed Trusts	Yes	No
Decanting Statute	Yes <i>Ranked as #1</i> <sup>[5]</sup>	No
Trust Privacy Provision	Yes - Total Privacy Seal Forever <i>Automatically attaches and comprehensive quiet trust provisions.</i>	No Privacy Provisions <i>Trust documents, provisions, and amendments are open to the public; no quiet trust provisions.</i>
Special Purpose Entity	Yes <sup>[2]</sup> <i>Codified by statute</i>	No
Family Advisor	Yes	No
State Fiscal Health	Ranked as #1 <sup>[6]</sup>	Ranked as #47 <sup>[6]</sup>

\* Denotes superior distinction among jurisdictions.

[1] Attorney Steve Oshins' "9th Annual Dynasty Trust State Rankings Chart"

[2] Worthington, Daniel G. and Merric, Mark "Which Trust Situs is Best in 2022?" *Trusts & Estates* December 2021

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

[4] Attorney Steve Oshins' "11th Annual Domestic Asset Protection Trust State Rankings Chart"

[5] Attorney Steve Oshins' "8th Annual Trust Decanting State Rankings Chart"

[6] Murphy, Mary; Iyengar, Akshay; and Zhang, Alexandria "Tax Revenue Volatility Varies Across States, Revenue Streams" *PEW* August 2018