

Choosing the Correct Jurisdiction: *An Objective Comparison*

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	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 #7 ^[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]	No	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>4 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 #14 ^[5]</i>	Yes <i>Ranked as #9 ^[5]</i>	Yes <i>Ranked as #3 ^[5]</i>
Trust Privacy Provision	Yes - Total Privacy Seal Forever ^[2] <i>Automatically attaches</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] <i>Codified by statute</i>	No	No	No	No
Family Advisor	Yes	No	No	No	No
State Fiscal Health	Ranked as #1 ^[6]	Ranked as #18 ^[6]	Ranked as #48 ^[6]	Ranked as #50 ^[6]	Ranked as #38 ^[6]

* 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