

The Vital Importance of Choosing the Correct Trust Jurisdiction

	South Dakota	Delaware
Domestic Asset Protection Statute	Yes <i>Two year fraudulent conveyance statute (Look back)</i>	Yes <i>Four year fraudulent conveyance statute (Look back)</i>
State Taxation	No <i>State taxation on trust assets</i>	No <i>State taxation on trust assets (only for non-residents)</i>
Trust Privacy Provision	Yes - Total Seal Forever <i>No public filing of trust documents, provisions, or amendments</i> <i>*Automatically attaches*</i>	Yes - Three Year Seal <i>After three years, trust documents, provisions, and amendments are open to the public</i> <i>*Subject to judge discretion*</i>
Dynasty Trusts	Yes <i>Ranked as having the #1 dynasty trust provisions in the nation [1]</i>	Yes <i>Ranked as having the #6 dynasty trust provisions in the nation [1]</i>
Directed Trusts	Yes	Yes
Trust Protector	Yes	Yes
Special Purpose Entity	Yes <i>Only U.S. trust jurisdiction with special purpose entity trust legislation [2]</i>	No
Decanting Statute	Yes <i>Ranked #1 in the nation [3]</i>	Yes <i>Ranked #5 in the nation [3]</i>
Insurance Premium Tax	8 basis points	200 basis points

[1] - see Steve Oshin's "4th Annual Dynasty Trust State Rankings Chart"

[2] - see South Dakota Statute, Chapter 51A-6A-66

[3] - see Steve Oshin's "2nd Annual Trust Decanting State Rankings Chart"