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## DISCLAIMER

**This information is intended solely for information and education and is not intended for use as legal or tax advice. Reference herein to any specific tax or other planning strategy, process, product or service does not constitute promotion, endorsement or recommendation by AALU. Persons should consult with their own legal or tax advisors for specific legal or tax advice.**

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<sup>1</sup> *Uniform Trust Code* (2010).

<sup>2</sup> States that have adopted some form of the UTC include: Alabama, Arizona, Arkansas, District of Columbia, Florida, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, South Carolina, Tennessee, Utah, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.

<sup>3</sup> The UTC notes “optional” mandatory disclosure requirements out of recognition that there is a lack of consensus on the extent to which a grantor ought to be able to waive reporting to beneficiaries, and that there is little chance that the states will enact these provisions with uniformity. States that have adopted the UTC with some form of mandatory disclosure requirements include: Alabama, Arizona, Florida (but with the ability to appoint a designated representative to receive mandatory disclosures and accounts on behalf of beneficiaries, see note 5), Maine, Maryland, Michigan, Missouri, Nebraska, New Jersey, New Mexico, Ohio, and Pennsylvania.

<sup>4</sup> See, for example, Arkansas, Kansas, Kentucky, Massachusetts, Minnesota, Montana, New Hampshire, North Carolina, North Dakota, South Carolina, Tennessee, Utah, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.

<sup>5</sup> Examples of states that allow appoint of a designated representative or other alternate or surrogate to receive some or all disclosures on behalf of a beneficiary include: Delaware, District of Columbia, Florida, Maine, Mississippi, Ohio, and Oregon. The extent and type of information that can be disclosed solely to a designated representative or surrogate, and for what duration of time, will depend on applicable state law.