

Fifty Shades of Gray – A Trustee’s Perspective

February EPC of SW Washington presentation -

February 21, 2013

A. Participants: Barbara Green CTFA, Gary Brandon, and John Strohecker, CTFA

Fifty Shades of Gray – perhaps you were looking to be tied up, instead we will titillate you with tales of trust officer daring-do. The gray we describe is that area between the words in your document and the items on the beneficiary’s wish list.

B. Outline of presentation

1. Overview

2. People - **Gary**

a. Trusts are created by people for people

i. Family and sudden friends

ii. Blended family and multiple marriages (is there a Kardashian reference here?)

iii. Beneficiaries dependent upon Mom and now the trust for full support with no plans for a productive life.

iv. ‘Lottery winners’ – sudden wealth or access to a trust with more money than they’ve ever had before

3. Standards – **Barbara**

a. Four magical words – Health, Education, Maintenance, and Support

b. Precatory language – Comfort, happiness, “lifestyle to which they have become accustomed to..”, and other frustrating terms.

i. Why to trustees drink so much?

c. Can a Trustee be reasonable and unreasonable at the same time?

4. Distributions - **John**

a. Services and products we paid for;

b. Stuff we haven’t disbursed funds for;

c. Vacation negotiations – see precatory language and being reasonable.

5. Special Trusts

a. Special Needs Trusts - **Barbara**

b. Private foundations - **Barbara**

c. Stay out of jail, off drugs, and be employed trusts **John**

6. Don’t ask, don’t tell - **John**

a. Drugs

b. Crime, jail, and prison

c. Indoor farming

d. Underachiever as a career path

7. Corporate v. Individual Trustees - **Gary**

a. Benefits of using a corporate trustee!

i. We actually file tax returns

ii. We read the trust and/or Will.

- iii. Corporate Trustees can live with being disliked and despised; most of us have raised a teenage daughter and survived. Thanksgiving for the family becomes much more pleasant.
- iv. We are heavily regulated, audited, and directly overseen by a the Bank's Board of Directors.