

# Index

## **ALLOWANCES**

Surviving spouse or surviving domestic partner and education of minor children, support of, § **13:8**

## **ANATOMICAL GIFTS**

**Organ Donation** (this index)

## **APPEAL AND REVIEW**

Appealable orders, § **9:3**

## **APPORTIONMENT**

Estate taxes, § **16:21**

## **ASSIGNMENTS**

Family rights

decedent's interest in home to surviving spouse or surviving domestic partner, § **13:6**

exemption from claims of creditors of property to surviving spouse or surviving domestic partner, § **13:9**

## **CLAIMS**

Estate assets insufficient to pay all claims and allowances, § **5:77**

## **CONSTRUCTION AND INTERPRETATION OF INSTRUMENTS**

Federal transfer taxes, formulas applied in wills and trusts, § **14:26.50**

Power of appointment, manifest intent to exercise, § **14:26.60**

## **CONSTRUCTIVE TRUSTS**

Generally, § **10:10.10 et seq.**

Definition, § **10:10.10**

Duration of, § **10:10.80**

Evidentiary considerations for imposition of constructive trust, § **10:10.90**

Function of, § **10:10.30**

Imposition of, §§ **10:10.60, 10:10.70, 10:10.90**

Purpose of, § **10:10.20**

## **CREDITORS**

Exemption from claims of creditors of property to surviving spouse, § **13:9**

## **EDUCATION**

Minor children, special allowance for support and education of, § **13:8**

## **ESTATE TAXES**

Apportionment, § **16:21**

**FAMILY RIGHTS**

- Surviving spouse or surviving domestic partner
  - assignment of decedent's interest in home, § 13:6
  - creditors of property, exemption from claims of, § 13:9
  - minor children, education and support of, § 13:8
  - tangible personal property, selection of, § 13:10
- Wrongful death action, § 13:12

**FIDUCIARIES**

- Trust administration, post-death, § 10:112.50

**FORMAL PROBATE ADMINISTRATION**

- Inventory of tangible personal property, § 5:63

**GIFT CAUSA MORTIS**

- Exception to statutory requirements for execution of will, § 4:16.50

**HEIRS**

- Basic rules of intestate succession, § 3:2

**INTESTATE SUCCESSION**

- Basic rules, § 3:2

**INVENTORY**

- Order appointing appraiser(s) (probate), § Appx 111
- Tangible personal property, formal administration, § 5:63

**INVESTMENTS**

- Trust administration, prudent investing, § 10:105.50

**JUDICIAL AID**

- Trustee's entitlement to instruction and direction from court, § 10:89.75

**ORDERS**

- Appealable orders, § 9:3
- Inventory, appointment of appraiser(s) (probate), § Appx 111

**ORGAN DONATION**

- Anatomical gifts
  - before donor's death, § 17:50
  - near or upon donor's death, § 17:51
- Other death benefits, § 17:49.50
- Persons that may receive anatomical gifts, purpose of gifts, § 17:52

**PARTNERSHIPS**

- Surviving domestic partner omitted in will before recording, rights of, § 4:27.50

**POWER OF APPOINTMENT**

- Manifest intent to exercise, § 14:26.60

**SUMMARY SETTLEMENT**

- Generally, § 7:1
- Insolvent estate, § 7:3

## INDEX

### TAXATION

- Apportionment of estate taxes, § 16:21
- Federal transfer taxes, formulas applied in wills and trusts, § 14:26.50

### TRUST ADMINISTRATION

- Breach of trust, remedies, § 10:89.60
- Constructive Trusts** (this index)
- Contract, limitation of personal liability of trustee, § 10:89.15
- Instruction and direction from court, entitlement of trustee, § 10:89.75
- Investments, § 10:105.50
- Liability of trustees
  - contract, limitation of personal liability of trustee, § 10:89.15
  - ownership or control of trust property, limitation of personal liability of trustee, § 10:89.45
  - torts, limitation of personal liability of trustee, § 10:89.30
- Ownership or control of trust property, limitation of personal liability of trustee, § 10:89.45
- Remedies for breach of trust, § 10:89.60
- Torts, limitation of personal liability of trustee, § 10:89.30
- Uniform Principal and Income Act, fiduciary duties, § 10:112.50
- Wisconsin Trust Code** (this index)

### TRUSTS AND TRUSTEES

- Federal transfer taxes, formulas that refer to repealed, § 14:26.50
- Wisconsin Trust Code
  - history, § 1:13
  - structure, § 1:12
  - Uniform Trust Code, comparison, § 1:14

### UNIFORM PRINCIPAL AND INCOME ACT

- Trust administration
  - fiduciary duties, § 10:112.50

### UNIFORM TRUST CODE

- Wisconsin Trust Code, comparison, § 1:14

### WILLS

- Execution
  - gift causa mortis, exception to requirements, § 4:16.50
  - gifts in contemplation of death as an exception to statutory requirements for the executions of wills, § 4:9.50
- Federal transfer taxes, formulas applied in wills and trusts, § 14:26.50
- Gift causa mortis, exception to statutory requirements for execution, § 4:16.50
- Omitted persons, surviving domestic partner, rights before recorded partnership, § 4:27.50
- Surviving domestic partner omitted in will, rights of, § 4:27.50

### WISCONSIN TRUST CODE

- Generally, § 10:10 et seq.
- Cestui que trust, § 10:10.40

**WISCONSIN TRUST CODE—Cont'd**

Constructive trusts

generally, § **10:10.10 et seq.**

definition, § **10:10.10**

duration of, § **10:10.80**

evidentiary considerations for imposition of constructive trust, § **10:10.90**

function of, § **10:10.30**

imposition of, §§ **10:10.60, 10:10.70, 10:10.90**

purpose of, § **10:10.20**

Mandatory exceptions, Code as default statute re., § **10:11**

Trusts to which the Code applies, § **10:10**

Unjust enrichment, § **10:10.50**

**WRONGFUL DEATH ACTION**

Family rights, § **13:12**