

# Index

## **ABANDONED OR UNCLAIMED PROPERTY**

Trusts and Trustees, this index

## **ACCIDENT AND HEALTH INSURANCE**

Insurance, this index

## **ACCOUNTANTS**

Durable power of attorney, **Part III § 404.710**

## **ACCOUNTS AND ACCOUNTING**

Agreements, nonprobate transfers, **Part III § 461.001**

Beneficiary designation, nonprobate transfers of property, **Part III § 461.033 et seq.**

Durable power of attorney, **Part III § 404.727**

Fiduciaries, personal accounts, **Part III § 469.310**

Nonprobate transfers

Generally, **Part III § 461.001 et seq.**

Beneficiary form, **Part III § 461.028**

Payment on death accounts, nonprobate transfers, **Part III § 461.003 et seq.**

Power of attorney, durable power of attorney, **Part III § 404.727**

Probate Proceedings, this index

Transfer on death accounts, nonprobate transfers, **Part III § 461.003 et seq.**

Trusts and Trustees, this index

## **ACTIONS AND PROCEEDINGS**

Definitions, trusts and trustees, **Part I § 456.1-103**

Nonprobate transfers

Generally, **Part III § 461.003 et seq.**

Disqualification, **Part III § 461.054**

Probate Proceedings, generally, this index

Trusts and Trustees, this index

## **ADDRESS**

Trusts and trustees

Notice, **Part I § 456.8-813**

Principal place of administration, **Part I § 456.1-108**

## **ADMINISTRATION**

Trusts and Trustees, this index

## **ADMINISTRATION OF DECEDENTS ESTATES**

Probate Proceedings, generally, this index

## **ADOPTION**

Beneficiary designation, inclusion, **Part III § 461.059**

**ADOPTION—Cont'd**

Intestate succession, after adopted children, nonprobate transfers, **Part III § 461.059**

**ADVERSE OR PECUNIARY INTEREST**

Definitions, wills or trusts, **Part I § 456.001**

Durable power of attorney

Generally, **Part III § 404.714**

Adjudication, **Part III § 404.731**

Trusts and Trustees, this index

**AFTER ACQUIRED PROPERTY**

Powers of appointment, **Part I § 456.1025**

**AFTER BORN CHILDREN**

Intestate Succession, this index

Probate Proceedings, this index

**AGE**

Probate proceedings, disclaimer of interest, **Part III § 469.090, 469.100**

**AGENTS AND AGENCIES**

Disclaimer of interest, **Part III § 469.030**

Fiduciaries, law applicable, **Part III § 469.330**

Trusts and Trustees, this index

Uniform Prudent Management of Institutional Funds Act, **Part III § 402.136**

**AGRICULTURE**

Trusts and trustees, principal and income, separate accounting, **Part III § 469.427**

**ALLOCATION**

Powers of appointment, **Part I § 456.1050**

Trusts and trustees, **Part III § 469.429**

**AMENDMENTS**

Powers of appointment, **Part I § 456.1010**

Trusts and Trustees, this index

**ANATOMICAL GIFTS**

Durable power of attorney, **Part III § 404.710**

**ANIMALS**

Trusts and trustees, beneficiaries, **Part I § 456.4-408**

**ANNUITIES**

Trusts and trustees

Powers and duties, **Part I § 456.8-816**

Principal and income, apportionment, **Part III § 469.437**

**APPENDICES**

Uniform Fiduciaries Act, **Part IV App A**

Uniform Powers of Appointment Act, **Part IV App F**

Uniform Principal and Income Act, **Part IV App B**

## INDEX

### **APPENDICES—Cont'd**

- Uniform Prudent Investor Act, **Part IV App C**
- Uniform Testamentary Additions to Trust Act, **Part IV App D**
- Uniform Trustee's Powers Act, **Part IV App E**

### **ARBITRATION**

- Trusts and trustees, **Part I § 456.2-205**

### **ASSESSMENTS**

- Trusts and trustees, **Part I § 456.8-816**

### **ASSIGNMENTS**

- Durable power of attorney, **Part III § 404.710**
- Nonprobate transfers
  - Generally, **Part III § 461.001 et seq., 461.003 et seq., 461.023**
  - Beneficiary designation, **Part III § 461.033 et seq.**
- Trusts and trustees, life insurance trust proceeds, **Part I § 456.005**

### **ASSIGNMENTS FOR BENEFIT OF CREDITORS**

- Trusts and trustees, spendthrift trusts, **Part I § 456.5-501 et seq.**

### **ATTACHMENT**

- Spendthrift trusts, **Part I § 456.5-501 et seq., 456.014**

### **ATTORNEY FEES**

- Trusts and trustees, **Part I § 456.10-1004**
  - Principal and income, payment, termination, **Part III § 469.413**

### **ATTORNEY GENERAL**

- Trusts and trustees, charities, beneficiaries, notice, **Part I § 456.1-110**

### **ATTORNEYS**

- Power of Attorney, generally, this index

### **ATTORNEYS IN FACT**

- Power of Attorney, generally, this index

### **AUTOPSIES**

- Durable power of attorney, consent, **Part III § 404.710**

### **BANK DEPOSITS AND COLLECTIONS**

- Agreements, nonprobate transfers, **Part III § 461.001**
- Beneficiary form, nonprobate transfers, **Part III § 461.028**
- Checks. Negotiable Instruments, this index
- Demand deposits, nonprobate transfers, **Part III § 461.001**
- Fiduciaries
  - Generally, **Part III § 469.290, 469.300, 469.320**
  - Personal account, **Part III § 469.310**
- Nonprobate transfers, **Part III § 461.001 et seq.**
- Payment, death of customer, nonprobate transfer, **Part III § 461.001**
- Trusts and trustees, **Part I § 456.8-816**
- Withdrawals, nonprobate transfers, **Part III § 461.001**

**BANKRUPTCY**

- Spendthrift trusts, **Part I § 456.014**
- Trusts and trustees
  - Spendthrift trusts, **Part I § 456.014**
  - Uniform fiduciaries law, **Part III § 469.240 et seq.**

**BANKS AND BANKING**

- Checks. Negotiable Instruments, this index
- Collections. Bank Deposits and Collections, generally, this index
- Definitions, **Part III § 469.240**
- Deposits. Bank Deposits and Collections, generally, this index
- Fiduciaries, law applicable, **Part III § 469.330**
- Negotiable Instruments, generally, this index
- Probate proceedings, nonprobate transfers, **Part III § 461.001**

**BENEFICIAL INTERESTS**

- Powers of appointment, **Part I § 456.1120**
- Trusts and trustees, **Part I § 456.4-419, 456.5-508**

**BENEFICIARIES**

- Assignments, nonprobate transfers, **Part III § 461.003 et seq.**
- Definitions
  - Nonprobate transfers, **Part III § 461.005**
  - Trusts and trustees, **Part I § 456.1-103**
- Describing language, effect of, **Part III § 469.600**
- Designation of, **Part III § 461.021**
- Rules and regulations, nonprobate transfers, **Part III § 461.062**
- Trustee, beneficiary as, **Part II § 2:8**
- Trusts and Trustees, this index

**BENEFICIARY DESIGNATION**

- Definitions, nonprobate transfers, **Part III § 461.005**

**BENEFIT PLANS**

- Death, this index

**BENEFITS**

- Handicapped Persons, this index

**BEQUESTS**

- Probate Proceedings, generally, this index

**BILLS OF EXCHANGE**

- Negotiable Instruments, generally, this index

**BILLS OF SALE**

- Sales, this index

**BINGHAM'S CASE, RULE IN**

- Abolishment of, **Part III § 469.600**

**BONA FIDE PURCHASERS**

- Nonprobate transfers, **Part III § 461.067**

## INDEX

### **BONDS**

- Beneficiary form, nonprobate transfers, **Part III § 461.028**
- Interest, nonprobate transfer, **Part III § 461.001**
- Nonprobate transfers, **Part III § 461.001 et seq.**
- Trusts and trustees, principal and income, apportionment, **Part III § 469.432**

### **BONDS (OFFICERS AND FIDUCIARIES)**

- Durable power of attorney, forgery, **Part III § 404.719**
- Trusts and Trustees, this index

### **BONUS**

- Stock Bonus Plan, generally, this index

### **BOOKS AND PAPERS**

- Negotiable Instruments, generally, this index

### **BOUNDARIES**

- Trusts and trustees, powers and duties, **Part I § 456.8-816**

### **BREACH OF FIDUCIARY DUTY**

- Generally, **Part I § 456.10-1001**

### **BUSINESS AND COMMERCE**

- Labor and Employment generally, this index

### **CAPACITY OF SETTLOR**

- Generally, **Part I § 456.4-402, 456.6-601**

### **CAPTURE DOCTRINE**

- Powers of appointment, **Part I § 456.1055**

### **CAPTURE OF PERSONS**

- Foreign countries, power of attorney, **Part III § 404.714**

### **CASUALTY INSURANCE**

- Insurance, generally, this index

### **CERTIFICATES AND CERTIFICATION**

- Trusts and trustees, **Part I § 456.10-1013**

### **CESTUI QUE TRUST**

- Trusts and Trustees, generally, this index

### **CHARITABLE TRUSTS**

- Trusts and Trustees, this index

### **CHARITIES**

- Charitable trusts
  - Income tax, conformity to federal law, **Part I § 456.019**
  - Prohibited acts, **Part I § 456.019**
- Trusts and trustees
  - Generally, **Part I § 456.4-405**
  - Beneficiaries, **Part I § 456.1-110**
  - Creation, **Part I § 456.4-402**
  - Cy pres, **Part I § 456.4-413**

**CHARITIES—Cont'd**

Trusts and trustees—Cont'd  
Vacancies, **Part I § 456.7-704**

**CHATTEL**

Personal Property, generally, this index

**CHECKS**

Negotiable Instruments, this index

**CHEMICALLY DEPENDENT PERSONS**

Guardianship. Guardian and Ward, generally, this index

**CHILDREN AND MINORS**

Custody of children. Guardian and Ward, generally, this index  
Definitions, spendthrift trusts, **Part I § 456.5-503**  
Guardian and Ward, generally, this index  
Nonprobate transfers  
Beneficiary designations, **Part III § 461.059**  
Rights respecting value of property, **Part III § 461.071**  
Spendthrift trusts, exemptions, **Part I § 456.5-503**  
Trust funds, receipts, allocation, **Part I § 456.001**  
Trusts and Trustees, this index

**CIRCUIT COURTS**

Trusts and trustees, registration, **Part I § 456.027 et seq.**

**CITATION OF LAW**

Fiduciaries, **Part III § 469.350**  
Powers of appointment, **Part I § 456.970**  
Prudent Investor Act, **Part III § 469.900**  
Uniform Fiduciaries Law, **Part III § 469.350, Part IV App A**  
Uniform Prudent Investor Act, **Part IV App C**  
Uniform Testamentary Additions to Trusts Act, **Part IV App D**  
Uniform Trust Code, **Part I § 456.1-101**  
Uniform Trustees' Powers Act, **Part IV App E**

**CLAIMS DUE ESTATE**

Probate Proceedings, this index

**CLASSIFICATIONS**

Powers of appointment, **Part I § 456.1005**

**COLLATERAL**

Trusts and trustees, principal and income, asset backed securities, apportionment,  
**Part III § 469.449**

**COMMERCIAL CODE**

Bank Deposits and Collections, generally, this index  
Negotiable Instruments, generally, this index

**COMMERCIAL PAPER**

Negotiable Instruments, generally, this index

## INDEX

### COMMON LAW

Trusts and trustees, application of law, **Part I § 456.1-106**

### COMMUNITY PROPERTY

Trusts and trustees

Powers and duties, **Part I § 456.8-816**

Revocable trusts, **Part I § 456.6-602**

### COMPENSATION AND SALARIES

Durable power of attorney, **Part III § 404.725**

Nonprobate transfers

Generally, **Part III § 461.003 et seq., 461.062**

Payment, **Part III § 461.001**

Stock Bonus Plan, generally, this index

Trusts and Trustees, this index

### COMPROMISE AND SETTLEMENT

Trusts and trustees, **Part I § 456.1-111, 456.8-816**

### CONFLICT OF INTEREST

Trusts and trustees, **Part I § 456.8-802**

### CONFLICT OF LAWS

Trusts and trustees, prudent investors, **Part III § 469.913**

### CONSERVATORS AND CONSERVATORSHIP

Beneficiary designation, creating, revoking or changing, **Part III § 461.035**

Definitions, trusts and trustees, **Part I § 456.1-103**

Disclaimer of interest, **Part III § 469.030**

Durable power of attorney, relationship, **Part III § 404.707, 404.731**

Guardian and Ward, generally, this index

Powers and duties, trusts and trustees, **Part I § 456.3-303**

### CONTRACTS

Nonprobate transfers, **Part III § 461.001 et seq., 461.003 et seq.**

Power of attorney, durable power of attorney, **Part III § 404.710**

Powers of appointment, **Part I § 456.1090**

Proceedings, nonprobate transfers, **Part III § 461.001**

Trusts and Trustees, this index

### CONVERSION

Trusts and trustees, principal and income, unproductive property, **Part III § 469.445**

### CONVEYANCES

Deeds and Conveyances, generally, this index

### CORPORATIONS

Dividends, nonprobate transfers, **Part III § 461.001**

Fiduciaries, uniform fiduciaries law, **Part III § 469.240 et seq.**

Insurance companies. Insurance, generally, this index

Nonprobate transfers, stock certificates, **Part III § 461.003 et seq.**

**CORPORATIONS—Cont'd**

- Shares and shareholders
  - Nonprobate transfers, **Part III § 461.003 et seq.**
  - Stock Bonus Plan, generally, this index
  - Trusts and trustees, powers and duties, **Part I § 456.8-816**
- Stock Bonus Plan, generally, this index
- Trustee, corporation as, **Part II § 2:6**
- Uniform fiduciaries law, **Part III § 469.240 et seq.**

**COSTS**

- Trusts and trustees
  - Generally, **Part I § 456.10-1004**
  - Prudent investors, **Part III § 469.907**

**COURTS**

- Definitions, durable power of attorney, **Part III § 404.703**
- Trusts and trustees, intervention, **Part I § 456.2-201**

**CREATION**

- Beneficiary designation, **Part III § 461.043**
- Powers of appointment, **Part I § 456.990**
- Trusts and Trustees, this index

**CREDITORS**

- Debtors and Creditors, this index

**CREDITOR'S CLAIMS**

- Definitions, spendthrift trusts, **Part I § 456.5-504**
- Discretionary trusts, **Part I § 456.5-504**

**CRIMES AND OFFENSES**

- Fraud, generally, this index
- Trusts and trustees, personal property lease deposits, misuse, **Part I § 456.007**

**CURATORS**

- Guardian and Ward, generally, this index

**CUSTODIAL ACCOUNTS**

- Health savings account, constituting a, creation of, **Part I § 456.006**

**CUSTODIAL AGREEMENTS**

- Nonprobate transfers, **Part III § 461.001 et seq.**

**CUSTODIAN**

- Beneficiary designation, creating, revoking or changing, **Part III § 461.035**

**CY PRES**

- Trusts and trustees, charities, **Part I § 456.4-413**

**DAMAGED PROPERTY**

- Beneficiary rights, **Part III § 461.037**

## INDEX

### DEATH

- Benefit plans, trusts for benefit of employees
  - Accumulation of income, **Part I § 456.013**
  - Application of law, **Part I § 456.017**
  - Continuance until purpose accomplished, **Part I § 456.011**
  - Spendthrift trust, **Part I § 456.014**
- Nonprobate transfers, **Part III § 461.003 et seq.**
- Powers of appointment, transferability, **Part I § 456.995**
- Self employed, benefit plans, trusts for
  - Accumulation of income, **Part I § 456.013**
  - Application of law, **Part I § 456.017**
  - Continuance until purpose accomplished, **Part I § 456.011**
  - Spendthrift trust, **Part I § 456.014**
- Spendthrift trust, bankruptcy, **Part I § 456.014**
- Transferability, powers of appointment, **Part I § 456.995**
- Trusts and Trustees, this index

### DEATH OF OWNER

- Definitions, nonprobate transfers, **Part III § 461.005**

### DEBTORS AND CREDITORS

- Nonprobate transfers, rights of creditors, **Part III § 461.071**
- Powers of appointment, **Part I § 456.1100, 456.1105, 456.1115**
- Probate proceedings, disclaimer of interest, **Part III § 469.010**
- Trusts and Trustees, this index

### DECEDENT ESTATES

- Probate Proceedings, generally, this index

### DEED OF GIFT

- Ownership transferred to designated transferee beneficiary, **Part III § 461.026**

### DEEDS AND CONVEYANCES

- Beneficiary designation, nonprobate transfer of property, **Part III § 461.033 et seq.**
- Bingham's case, rule in, **Part III § 469.600**
- Doctrine of worthier title, **Part III § 469.600**
- Dry trust, effect on trustee, power, **Part I § 456.003**
- Nonprobate transfers
  - Generally, **Part III § 461.001 et seq., 461.003 et seq., 461.025**
  - Insurance, this index
  - Revocation, **Part III § 461.033**
- Passive trust, effect on trustee power, **Part I § 456.003**
- Statute of uses, effect on trustee power, **Part I § 456.003**
- Trusts and Trustees, this index

### DEFENSES

- Trusts and trustees, claims, **Part I § 456.8-811**

### DEFERRED COMPENSATION

- Trusts and trustees, principal and income, apportionment, **Part III § 469.437**

**DEFINITIONS**

Words and Phrases, generally, this index

**DEMAND DEPOSITS**

Bank Deposits and Collections, this index

**DEPOSITS**

Bank Deposits and Collections, generally, this index

Fines and penalties, personal property leases, misuse of deposit, **Part I § 456.009**

Lessee, duty of lessor, penalty, **Part I § 456.007, 456.009**

Trusts and trustees, lessee, effect, penalty, **Part I § 456.007, 456.009**

**DEPRECIATION**

Trusts and Trustees, this index

**DERIVATIVES**

Trusts and trustees, principal and income, apportionment, **Part III § 469.447**

**DEVICES AND DEVISEES**

Probate Proceedings, generally, this index

**DISABILITY**

Handicapped Persons, generally, this index

**DISABILITY BENEFITS**

Trusts and Trustees, this index

**DISCLAIMER**

Agents and agencies, **Part III § 469.030**

Conservators and conservatorship, **Part III § 469.030**

Debtors and creditors, probate proceedings, **Part III § 469.010**

Guardian and ward, **Part III § 469.030**

Nonprobate transfers, **Part III § 461.048**

Powers of appointment, **Part I § 456.1080**

Probate proceedings, **Part III § 469.010 et seq.**

Signatures, probate proceedings, **Part III § 469.020**

Trusts and trustees, **Part II § 2:11**

**DISCRETIONARY TRUSTS**

Generally, **Part I § 456.5-504**

Exculpatory clauses, **Part I § 456.10-1008**

**DISPOSITION OF PROPERTY**

Powers of appointment, **Part I § 456.1055-456.1070**

Trusts and trustees, assets, **Part III § 469.904**

**DISSOLUTION OF MARRIAGE**

Marriage, this index

**DISTRIBUTION OF ESTATE**

Probate Proceedings, this index

## INDEX

### **DISTRICT COURTS**

Trusts and trustees, jurisdiction, **Part I § 456.2-202**

### **DIVIDENDS**

Corporations, this index

### **DIVORCE**

Dissolution of marriage. Marriage, this index

### **DOMESTIC RELATIONS**

Marriage, generally, this index

### **DOMICILE AND RESIDENCE**

Nonprobate transfers, **Part III § 461.073**

Trusts and trustees, principal place of administration, **Part I § 456.1-108**

### **DONORS**

Powers of appointment, **Part I § 456.1030**

### **DURABLE POWER OF ATTORNEY LAW**

Generally, **Part III § 404.700 et seq.**

Power of Attorney, generally, this index

### **DURESS OR COERCION**

Nonprobate transfers, **Part III § 461.054**

Trusts and trustees, **Part I § 456.4-406**

### **EASEMENTS**

Trusts and trustees, **Part I § 456.8-816**

### **EDUCATION**

Trusts and trustees, **Part I § 456.4-405**

### **ELECTRONIC TRANSACTIONS**

Trusts and trustees, **Part I § 456.11-1102**

### **EMPLOYEE BENEFIT PLAN**

Nonprobate transfers, **Part III § 461.001 et seq.**

### **EMPLOYEES**

Labor and Employment generally, this index

### **EMPLOYERS**

Labor and Employment generally, this index

### **EMPLOYMENT**

Labor and Employment generally, this index

### **ENDORSEMENTS**

Fiduciaries, negotiable instruments, **Part III § 469.260**

### **ENVIRONMENT**

Trusts and trustees, **Part I § 456.8-816**

Principal and income, disbursements, **Part III § 469.453**

**ENVIRONMENTAL LAW**

Definitions, trusts and trustees, **Part I § 456.1-103**

**EQUITY**

Application of law

Fiduciaries, **Part III § 469.330**

Trusts and trustees, **Part I § 456.1-106**

**ESCHEATS**

Trusts and trustees, unclaimed property, **Part I § 456.039**

**ESTATES**

Income tax-state, United States, conformity with, **Part I § 456.019**

Probate Proceedings, generally, this index

**ESTATES IN REAL PROPERTY**

Real Estate, generally, this index

**EVIDENCE**

Governmental agencies, reports or records, missing or dead status, **Part I § 456.035**

Presumptions

Death, absence and absentees, **Part I § 456.035**

Trusts and Trustees, this index

Probate proceedings, death of missing person, **Part I § 456.035**

Trusts and Trustees, this index

**EXCHANGE, BILLS OF**

Negotiable Instruments, generally, this index

**EXCULPATORY OR EXONERATION TRUSTS**

Generally, **Part I § 456.10-1008**

**EXECUTIONS**

Nonprobate transfers, **Part III § 461.062**

Spendthrift trusts, **Part I § 456.5-501 et seq., 456.014**

**EXECUTORS AND ADMINISTRATORS**

Personal representatives. Probate Proceedings, this index

**EXEMPTIONS**

Nonprobate transfers, probate proceedings, **Part III § 461.003 et seq.**

Trusts and Trustees, this index

**FIDUCIARIES**

Generally, **Part III § 469.240 et seq.**

Accounts and accounting, personal accounts, deposits, **Part III § 469.310**

Agency, law applicable, **Part III § 469.330**

Application of law, **Part III § 469.330**

Application of payments made to, **Part III § 469.250**

Bank Deposits and Collections, this index

Banks and banking, application of law, **Part III § 469.330**

## INDEX

### **FIDUCIARIES—Cont'd**

- Bills of exchange, drawn by and payable to
  - Generally, **Part III § 469.280**
  - Third person, **Part III § 469.270**
- Checks. Negotiable Instruments, this index
- Citation of law, **Part III § 469.350**
- Definitions
  - Generally, **Part III § 469.240**
  - Professional fiduciary, registration of trust, **Part I § 456.027**
- Endorsements, negotiable instruments, **Part III § 469.260**
- Equity, application in cases not provided for, **Part III § 469.330**
- In good faith, definitions, **Part III § 469.240**
- Law merchant, applicability, **Part III § 469.330**
- Liability, deposits in banks and trust companies, **Part III § 469.290**
- Negotiable Instruments, this index
- Payments, **Part III § 469.250**
- Person, definitions, **Part III § 469.240**
- Personal accounts, deposits, **Part III § 469.310**
- Personal benefit or personal death payment, commercial paper transfer, knowledge of endorsee, **Part III § 469.260**
- Power of attorney, durable power of attorney, relationship, **Part III § 404.705**
- Principal and income. Trusts and Trustees, this index
- Short title of law, **Part III § 469.350**
- Third persons, check drawn by and payable to, **Part III § 469.270**
- Transfers
  - Generally, **Part III § 469.250**
  - Negotiable instruments, **Part III § 469.260**
  - Trusts and Trustees, generally, this index
  - Uniform fiduciary law, **Part III § 469.240 et seq.**
  - Uniformity of law, **Part III § 469.340**
  - Validity, good faith transfers, authorized fiduciaries, **Part III § 469.250**

### **FINANCIAL INSTITUTIONS**

- Nonprobate transfers, application of law, **Part III § 461.073**

### **FOREIGN COUNTRIES**

- Power of attorney, durable power of attorney, capture, **Part III § 404.714**
- Trusts and Trustees, this index

### **FOREIGN STATES**

- Trusts and Trustees, this index

### **FOUNDATIONS**

- Income tax, conformity to federal law, **Part I § 456.019**

### **FRAUD**

- Nonprobate transfers, **Part III § 461.054**
- Trusts and Trustees, this index

### **FREEHOLD ESTATES**

- Real Estate, generally, this index

**GIFTS**

- Durable power of attorney, **Part III § 404.710**
- Nonprobate transfers, **Part III § 461.001 et seq., 461.003 et seq.**

**GLOBAL AND NATIONAL COMMERCE ACT**

- Powers of appointment, electronic signatures, **Part I § 456.1130**

**GOOD FAITH**

- Trusts and Trustees, this index

**GRANTS**

- Deeds and Conveyances, generally, this index

**GUARDIAN AND WARD**

- Definitions, trusts and trustees, **Part I § 456.1-103**
- Disclaimer of interest, **Part III § 469.030**
- Power of attorney, relationship, **Part III § 404.707, 404.731**
- Probate proceedings, disclaimer of interest, **Part III § 469.030**
- Trusts and trustees, powers and duties, **Part I § 456.3-303**
- Uniform fiduciaries law, **Part III § 469.240 et seq.**

**HANDICAPPED PERSONS**

- Attorneys, durable power of attorney, **Part III § 404.700 et seq.**
- Bankruptcy, spendthrift trust, **Part I § 456.014**
- Benefits, self employed trust plans
  - Accumulation of income, **Part I § 456.013**
  - Application of law, **Part I § 456.017**
  - Continuance until purpose accomplished, **Part I § 456.011**
  - Spendthrift trust, **Part I § 456.014**
- Power of attorney, durable power of attorney, **Part III § 404.700 et seq.**
- Self employed trust plans. benefits, above
- Spendthrift trust, bankruptcy, **Part I § 456.014**

**HEALTH BENEFIT PLANS**

- Accident and health insurance. Insurance, this index

**HEALTH INSURANCE**

- Accident and health insurance. Insurance, this index

**HEALTH SAVINGS ACCOUNT**

- Custodial account constituting, creation of, **Part I § 456.006**

**HUSBAND AND WIFE**

- Bequests or transfers, valuation, **Part I § 456.001**
- Real estate. Deeds and Conveyances, generally, this index
- Spendthrift trusts, bankruptcy, **Part I § 456.014**
- Trusts and Trustees, this index

**IDENTITY AND IDENTIFICATION**

- Trusts and Trustees, this index

**IMPROVEMENTS**

- Trusts and Trustees, this index

## INDEX

### **IN PROPER FORM**

Definitions, nonprobate transfers, **Part III § 461.005**

### **INCOME**

Trusts and Trustees, this index

### **INCOME TAX-FEDERAL**

Trusts and trustees, discretionary powers, distributions, **Part I § 456.8-814**

### **INCOME TAX-STATE**

Estates, United States, conformity with, **Part I § 456.019**

Trusts and trustees

Discretionary powers, distributions, **Part I § 456.8-814**

Modification, **Part I § 456.4-416**

Principal and income

Adjustments, **Part III § 469.461**

Apportionment, **Part III § 469.459**

### **INCOMPETENTS**

Guardian and Ward, generally, this index

### **INDEBTEDNESS**

Forgiveness, nonprobate transfers, rights of owner or beneficiaries, **Part III § 461.067**

Trusts and trustees

Claims, **Part I § 456.5-505**

Principal and income

Disbursements, **Part III § 469.453**

Receipts, **Part III § 469.432**

Spendthrift trusts, **Part I § 456.5-501 et seq.**

### **INDEMNITY**

Trusts and trustees

Generally, **Part I § 456.8-816**

Reasonable care, **Part I § 456.10-1007**

### **INDIGENT PERSONS**

Trusts and trustees, **Part I § 456.4-405**

### **INDIVIDUAL RETIREMENT ACCOUNTS**

Nonprobate transfers, **Part III § 461.001 et seq.**

### **INFIRMITIES**

Handicapped Persons, generally, this index

### **INSTITUTIONAL FUNDS**

Uniform Prudent Management of Institutional Funds Act, this index

### **INSURANCE**

Accident and health insurance, nonprobate transfers, application of law, **Part III § 461.073**

**INSURANCE—Cont'd**

Life insurance

Nonprobate transfers

Application of law, **Part III § 461.073**

Death benefits, **Part III § 461.001**

Disqualification, **Part III § 461.054**

Trusts and trustees

Identification in written instrument, **Part I § 456.021**

Trustee as beneficiary, **Part I § 456.005**

Nonprobate transfers

Generally, **Part III § 461.003 et seq.**

Beneficiary designation, **Part III § 461.021**

Benefits, **Part III § 461.001**

Trusts and trustees, **Part I § 456.8-816**

Principal and income, apportionment, **Part III § 469.433**

**INTENT**

Powers of appointment, **Part I § 456.1015, 456.1020**

Trusts and Trustees, this index

**INTER VIVOS TRUSTS**

Trusts and Trustees, generally, this index

**INTEREST**

Nonprobate transfers

Generally, **Part III § 461.062**

Bonds, **Part III § 461.001**

Trusts and Trustees, this index

**INTEREST IN REAL PROPERTY**

Real Estate, generally, this index

**INTERESTED PERSONS**

Definitions, trust registration, **Part I § 456.033**

**INTERNAL AFFAIRS**

Definitions, trust registration, **Part I § 456.033**

**INTERVENTION**

Trusts and trustees, courts, **Part I § 456.2-201**

**INTESTATE SUCCESSION**

Adoption, after adopted children, nonprobate transfers, **Part III § 461.059**

After born children

Beneficiary designation, **Part III § 461.059**

Nonprobate transfers, **Part III § 461.059**

Jurisdiction, nonprobate transfers, **Part III § 461.076**

Multiple beneficiaries, nonprobate transfers, **Part III § 461.062**

Nonprobate transfers, **Part III § 461.045**

Percentage share, nonprobate transfers, **Part III § 461.062**

## INDEX

### INVESTMENTS

- Prudent investors, **Part III § 469.900 et seq.**
- Trusts and Trustees, this index

### JOBS

- Labor and Employment generally, this index

### JOINT OWNERS

- Definitions, nonprobate transfers, **Part III § 461.005**

### JURISDICTION

- Definitions, trusts and trustees, **Part I § 456.1-103**
- Nonprobate transfers, **Part III § 461.073, 461.076, 461.079**
- Power of attorney, **Part III § 404.730**
- Trusts and Trustees, this index

### LABOR AND EMPLOYMENT

- Attachment, spendthrift trust, **Part I § 456.014**
- Contracts, nonprobate transfers, **Part III § 461.001 et seq.**
- Retirement and Pensions, generally, this index
- Self employed persons
  - Benefit plans, accumulation of income, **Part I § 456.013**
  - Application of law, **Part I § 456.017**
  - Benefit trusts, **Part I § 456.011**
- Trusts and trustees
  - Generally, **Part I § 456.8-816**
  - Employee benefit trusts
    - Generally, **Part I § 456.011**
    - Accumulation of income, **Part I § 456.013**
    - Application of law, **Part I § 456.017**
  - Spendthrift trusts, **Part I § 456.014**

### LAND

- Real Estate, generally, this index

### LANDLORD AND TENANT

- Deposits, lessee, trust fund, **Part I § 456.007, 456.009**
- Fines and penalties, misuse of deposit, **Part I § 456.009**
- Trusts and trustees, principal and income, apportionment, **Part III § 469.427, 469.431**

### LANDS

- Real Estate, generally, this index

### LAW MERCHANT

- Fiduciaries, applicability, **Part III § 469.330**

### LDPS

- Definitions, nonprobate transfers, **Part III § 461.005**

### LEASES

- Fines and penalties, deposits, **Part I § 456.007, 456.009**

**LEASES—Cont'd**

Trusts and trustees

Generally, **Part I § 456.8-816**

Personal property, deposits, **Part I § 456.007**

Waiver, deposit trust provisions, **Part I § 456.009**

**LEGACIES AND LEGATEES**

Probate Proceedings, generally, this index

**LEGAL REPRESENTATIVE**

Definitions, durable power of attorney, **Part III § 404.703**

**LEGAL SEPARATION**

Marriage, this index

**LETTERS OF ATTORNEY**

Power of Attorney, generally, this index

**LIFE INSURANCE**

Insurance, this index

**LIMITATION OF ACTIONS**

Probate Proceedings, this index

**LIMITED LIABILITY COMPANIES**

Trusts and trustees, **Part I § 456.8-816**

**LINEAL DESCENDANTS**

Definitions, nonprobate transfers, **Part III § 461.005**

**LIQUIDATION**

Trusts and trustees, principal and income, investments, apportionment, **Part III § 469.423**

**LOANS**

Trusts and trustees, **Part I § 456.8-816**

**LOST OR DESTROYED PROPERTY**

Beneficiary interest, **Part III § 461.037**

**MAIL AND MAILING**

Trusts and trustees, notice, **Part I § 456.1-109**

**MAPS AND PLATS**

Trusts and trustees, **Part I § 456.8-816**

**MARRIAGE**

Dissolution of marriage

Nonprobate transfers, beneficiary designation, revocation, **Part III § 461.051**

Spendthrift trusts, **Part I § 456.014**

Trusts and trustees, beneficiaries, **Part I § 456.1-112**

Legal separation, spendthrift trust, bankruptcy, **Part I § 456.014**

Nonprobate transfers, dissolution of marriage, **Part III § 461.051**

Trusts and trustees

Generally, **Part I § 456.1-112**

## INDEX

### **MARRIAGE—Cont'd**

Trusts and trustees—Cont'd  
Spendthrift trust, bankruptcy, **Part I § 456.014**

### **MASTER AND SERVANT**

Labor and Employment generally, this index

### **MEDIATION**

Trusts and trustees, **Part I § 456.2-205**

### **MEDICAL CARE AND TREATMENT**

Accident and health insurance. Insurance, this index

### **MENTALLY ILL PERSONS**

Guardian and Ward, generally, this index

### **MENTALLY RETARDED AND DEVELOPMENTALLY DISABLED PERSONS**

Guardian and Ward, generally, this index

### **MINES AND MINING**

Trusts and trustees, principal and income, apportionment, **Part III § 469.427, 469.441**

### **MONEY**

Nonprobate transfers, **Part III § 461.001 et seq.**

### **MORTGAGES**

Nonprobate transfers, **Part III § 461.001 et seq., 461.003 et seq.**  
Trusts and trustees, **Part I § 456.8-816**

### **NAMES**

Trusts and trustees, notice, **Part I § 456.8-813**

### **NEGLIGENCE**

Nonprobate transfers, **Part III § 461.067**  
Trusts and trustees, liability, **Part I § 456.10-1010**

### **NEGOTIABLE INSTRUMENTS**

Checks, fiduciaries

Deposit to personal credit, **Part III § 469.310**

Drawn by and payable to

Generally, **Part III § 469.280**

Third person as payee, **Part III § 469.270**

Drawn upon account of principal, **Part III § 469.300**

Indorsements, **Part III § 469.260**

Durable power of attorney, **Part III § 404.710**

Fiduciaries

Checks, above

Law applicable to, **Part III § 469.330**

Transfer, **Part III § 469.260**

Nonprobate transfers

Generally, **Part III § 461.001 et seq.**

**NEGOTIABLE INSTRUMENTS—Cont'd**

- Nonprobate transfers—Cont'd
  - Beneficiary form, **Part III § 461.028**
  - Payment, nonprobate transfers, **Part III § 461.001**
  - Power of attorney, durable power of attorney, **Part III § 404.710**
  - Third parties, payee, **Part III § 469.270**
  - Transfer, nonprobate transfers, **Part III § 461.001**

**NO-CONTEST CLAUSES**

- Generally, **Part I § 456.4-420**

**NONPROBATE TRANSFERS**

- Generally, **Part III § 461.003 et seq.**
- Disclaimers, **Part III § 461.048**
- Insurance, this index

**NOTICE**

- Durable power of attorney, **Part III § 404.710**
- Nonprobate transfers, beneficiary designation, **Part III § 461.065**
- Trusts and Trustees, this index

**ORAL TRUSTS**

- Evidence, **Part I § 456.4-407**

**ORDERS OF COURT**

- Nonprobate transfers, surviving beneficiaries, **Part III § 461.076**
- Trusts and Trustees, this index

**OWNERSHIP IN BENEFICIARY FORM**

- Definitions, nonprobate transfers, **Part III § 461.005**
- Effective date, **Part III § 461.027**
- Transfers of property, **Part III § 461.026, 461.027**

**PAPER**

- Negotiable Instruments, generally, this index

**PARTNERSHIPS**

- Fiduciaries, **Part III § 469.240 et seq.**
- Trusts and trustees
  - Generally, **Part I § 456.8-816, Part II § 2:7**
  - Claims, **Part I § 456.5-505**
  - Liability, **Part I § 456.10-1011**

**PAY ON DEATH ACCOUNTS**

- Nonprobate transfers, **Part III § 461.003 et seq.**

**PAYMENT**

- Bank Deposits and Collections, this index
- Nonprobate transfers
  - Negotiable instruments, **Part III § 461.001**
  - Rights of owners or beneficiaries, **Part III § 461.067**

## INDEX

### **PECUNIARY BEQUEST OR TRANSFER**

Definitions, wills or trusts, **Part I § 456.001**

### **PENSIONS**

Retirement and Pensions, generally, this index

### **PERSON**

Words and Phrases, this index

### **PERSONAL CUSTODIANS**

Nonprobate transfers, application of law, **Part III § 461.073**

### **PERSONAL PROPERTY**

Application of law, leases, **Part I § 456.007**

Beneficiary designation, nonprobate transfers, **Part III § 461.033 et seq.**

Bills of sale. Sales, this index

Leases, deposits, trusts and trustees, **Part I § 456.007**

Nonprobate transfers, beneficiary form, **Part III § 461.028**

Self employed, trusts for

Accumulation of income, **Part I § 456.013**

Application of law, **Part I § 456.017**

Continuance until purpose accomplished, **Part I § 456.011**

Spendthrift trust, **Part I § 456.014**

Transfers to designated transferee beneficiary, **Part III § 461.026, 461.027**

Trusts and trustees, benefit of employees

Accumulation of income, **Part I § 456.013**

Application of law, **Part I § 456.017**

Continuance until purpose accomplished, **Part I § 456.011**

Deposit for leased property, **Part I § 456.007**

Spendthrift trust, **Part I § 456.014**

### **PERSONAL REPRESENTATIVES**

Definitions, durable power of attorney, **Part III § 404.703**

Probate Proceedings, this index

### **PERSONS**

Definitions, trusts and trustees, **Part I § 456.1-103**

### **PETITIONS**

Nonprobate transfers, disqualification for fraud, duress and undue influence,  
**Part III § 461.054**

### **PHYSICALLY DISABLED PERSONS**

Handicapped Persons, generally, this index

### **PLANS AND SPECIFICATIONS**

Stock Bonus Plan, generally, this index

### **PLEADINGS**

Durable power of attorney, **Part III § 404.710**

**PLEDGES**

Beneficiary designation, nonprobate transfer of property, **Part III § 461.033 et seq.**

**POPULAR NAME LAWS**

Durable Power of Attorney Law, **Part III § 404.700 et seq.**

Nonprobate Transfers Law, **Part III § 461.003 et seq.**

Prudent Investor Act, **Part III § 469.900 et seq.**

Trust Code, **Part I § 456.1-101 et seq.**

Uniform Fiduciaries Act, **Part III § 469.240 et seq., Part IV App A**

Uniform Powers of Appointment Act, **Part I § 456.970 to 456.1135, Part IV App F**

Uniform Principal and Income Act, **Part IV App B**

Uniform Prudent Investor Act, **Part IV App C**

Uniform Testamentary Additions to Trust Act, **Part IV App D**

Uniform Trust Code, **Part I § 456.1-101 et seq.**

Uniform Trustee's Powers Act, **Part IV App E**

**POSTHUMOUS CHILDREN**

After born children. Probate Proceedings, this index

**POWER OF ATTORNEY**

Generally, **Part III § 404.700 et seq.**

Accountants, **Part III § 404.710**

Accounts and accounting, **Part III § 404.727**

Adverse or pecuniary interest

Generally, **Part III § 404.714**

Adjudication, **Part III § 404.731**

Anatomical gifts, **Part III § 404.710**

Application of law, **Part III § 404.730, 404.737**

Attorney fees

Generally, **Part III § 404.717**

Bonds (officers and fiduciaries), **Part III § 404.727**

Autopsies, consent, **Part III § 404.710**

Beneficiary designation, creating, revoking or changing, **Part III § 461.035**

Bonds (officers and fiduciaries), **Part III § 404.727**

Compensation and salaries, **Part III § 404.725**

Conflict of interest

Generally, **Part III § 404.714**

Adjudication, **Part III § 404.731**

Conservator and conservatorship, relationship, **Part III § 404.707, 404.731**

Damages, **Part III § 404.717**

Death of principal, termination, **Part III § 404.717**

Definitions, durable power of attorney, **Part III § 404.703**

Divorce, termination, **Part III § 404.717**

Fiduciaries, relationship, **Part III § 404.705**

Foreign countries

Generally, **Part III § 404.705**

Capture, **Part III § 404.714**

## INDEX

### **POWER OF ATTORNEY—Cont'd**

- Foreign states, **Part III § 404.730**
- Forgery, **Part III § 404.719**
- Fraud, **Part III § 404.717**
- Gifts, **Part III § 404.710**
- Grandfather rights, **Part III § 404.735**
- Guardian and ward, relationship, **Part III § 404.707, 404.731**
- Handicapped Persons, this index
- Hearings
  - Successor attorneys, **Part III § 404.723**
  - Suspension of authority, **Part III § 404.727**
- Indemnity
  - Forgery, **Part III § 404.719**
  - Third parties, **Part III § 404.710**
- Jurisdiction, **Part III § 404.730**
- Modification, **Part III § 404.717, 404.727**
- Multiple attorneys, **Part III § 404.707**
- Notice
  - Successor attorneys, **Part III § 404.723**
  - Suspension of authority, **Part III § 404.727**
- Orders
  - Successor attorneys, **Part III § 404.723**
  - Suspension of authority, **Part III § 404.727**
- Real estate brokers and salespersons, **Part III § 404.710**
- Records and recordation, deeds and conveyances, **Part III § 404.735**
- Removal of attorney, **Part III § 404.727**
- Successor attorneys, **Part III § 404.723**
- Suspension, **Part III § 404.727**
- Termination, **Part III § 404.717, 404.727**
- Third parties
  - Generally, **Part III § 404.710, 404.719**
  - Termination, **Part III § 404.721**
- Trusts and trustees
  - Generally, **Part III § 404.710**
  - Consent, modification, termination, **Part I § 456.4-411A**
  - Revocable trusts, **Part I § 456.6-602**
- Wills, **Part III § 404.710**

### **POWERS OF APPOINTMENT**

- Generally, **Part I § 456.970 to 456.1135**
- After-acquired power, **Part I § 456.1025**
- Allocation doctrine, selective, **Part I § 456.1050**
- Amendment, **Part I § 456.1010, 456.1075**
- Application and construction, **Part I § 456.1125, 456.1135**
- Beneficial interests, **Part I § 456.1120**
- Capture doctrine, **Part I § 456.1055**
- Citation of law, **Part I § 456.970**
- Classification rules, **Part I § 456.1005**

**POWERS OF APPOINTMENT—Cont'd**

- Contracts, **Part I § 456.1090**
- Creation, **Part I § 456.990**
- Creditor's claims, **Part I § 456.1100, 456.1105, 456.1115**
- Death, transferability, **Part I § 456.995**
- Debtors and creditors, **Part I § 456.1100, 456.1105, 456.1115**
- Deceased appointees, **Part I § 456.1040**
- Definitions, **Part I § 456.975**
- Descendants of appointees, **Part I § 456.1040**
- Disclaimers, **Part I § 456.1075, 456.1080**
- Disposition of property, **Part I § 456.1055-456.1070**
- Donor imposed formal requirements, substantial compliance, **Part I § 456.1030**
- Electronic signatures, **Part I § 456.1130**
- Exercise of power, requisites, **Part I § 456.1015, 456.1020**
- Global and National Commerce Act, relation to electronic signatures, **Part I § 456.1130**
- Governing law, **Part I § 456.980, 456.985**
- Intent, **Part I § 456.1015, 456.1020**
- Nontransferability, death, **Part I § 456.995**
- Permissibility of appointment, **Part I § 456.1035, 456.1045**
- Power to revoke or amend, **Part I § 456.1010**
- Presumption of unlimited authority, exception, **Part I § 456.1000**
- Release, **Part I § 456.1085**
- Remedies, breach of contract, **Part I § 456.1095**
- Residual clause, **Part I § 456.1020**
- Revocation, **Part I § 456.1010, 456.1075**
- Rules of classification, **Part I § 456.1005**
- Selective allocation doctrine, **Part I § 456.1050**
- Signatures, electronic, **Part I § 456.1130**
- Substantial compliance, **Part I § 456.1030**
- Trust Code, **Part I § 456.3-302, 456.5-508**
- Uniform Powers of Appointment Act, **Part I § 456.970 to 456.1135, Part IV App F**
- Withdrawal, **Part I § 456.1110**

**PRESUMPTIONS**

- Evidence, this index
- Probate Proceedings, this index

**PRIMA FACIE EVIDENCE**

- Presumptions. Evidence, this index

**PRINCIPAL AND INCOME**

- Distributions of
  - First and second trusts, discretionary power of trustee, notice requirements, **Part I § 456.4-419**
- Trusts and Trustees, this index

**PRIOR TRANSFERS**

- Effective when, **Part III § 461.081**

## INDEX

### **PRIVATE FOUNDATIONS**

Income tax, conformity to federal law, **Part I § 456.019**

### **PRIVATE PROPERTY**

Property, generally, this index

### **PRIVILEGES AND IMMUNITIES**

Trusts and Trustees, this index

### **PROBATE CODE**

Probate Proceedings, generally, this index

### **PROBATE DIVISION, CIRCUIT COURTS**

Guardian and Ward, generally, this index

Trusts and Trustees, generally, this index

### **PROBATE PROCEEDINGS**

Acceptance, disclaimer of interest, **Part III § 469.030**  
Accounts and accounting, nonprobate transfers, **Part III § 461.300**  
Advancements, nonprobate transfers, **Part III § 461.300**  
After born children, nonprobate transfers, **Part III § 461.059**  
Age, disclaimer of interest, **Part III § 469.090, 469.100**  
Agents and agencies, disclaimer of interest, **Part III § 469.030**  
Application of law, disclaimer of interest, **Part III § 469.120**  
Banks and banking, nonprobate transfers, **Part III § 461.001**  
Claims, spendthrift trusts, **Part I § 456.5-501 et seq.**  
Claims due estate, nonprobate transfers, **Part III § 461.001**  
Conservators and conservatorship, disclaimer of interest, **Part III § 469.030**  
Contingent beneficiaries, nonprobate transfers, **Part III § 461.062**  
Contingent interest, disclaimer of interest, **Part III § 469.070**  
Death certificate, prima facie evidence of death, **Part I § 456.035**  
Debtors and creditors, disclaimer of interest, **Part III § 469.010**  
Delivery, disclaimer of interest, **Part III § 469.020**  
Disclaimer of interest, **Part III § 469.010 et seq.**  
Distribution of estate, nonprobate assets, **Part III § 461.001**  
Evidence, death of missing person, **Part I § 456.035**  
Exemptions, nonprobate transfers, **Part III § 461.003 et seq.**  
Filing, disclaimer of interest, **Part III § 469.020**  
Five year absence, presumption of death, **Part I § 456.035**  
Fractional shares, nonprobate transfers, **Part III § 461.062**  
Future interest, disclaimer of interest, **Part III § 469.070**  
Governmental agencies, records or reports, evidence, **Part I § 456.035**  
Guardian and ward, disclaimer of interest, **Part III § 469.030**  
Limitation of actions, nonprobate transfers, **Part III § 461.067**  
Multiple beneficiaries, nonprobate transfers, **Part III § 461.062**  
Nonexclusivity of chapter, **Part III § 469.110**  
Nonprobate transfers, **Part III § 461.001 et seq., 461.003 et seq.**  
Per stirpes distributions, disclaimer of interest, **Part III § 469.080**  
Personal representatives  
Disclaimer of interest, **Part III § 469.020, 469.030**

**PROBATE PROCEEDINGS—Cont'd**

Personal representatives—Cont'd

Fiduciaries, uniform fiduciaries law, **Part III § 469.240 et seq.**

Powers and duties, trusts and trustees, **Part I § 456.3-303**

Prudent investors, **Part III § 469.900 et seq.**

Uniform fiduciaries law, **Part III § 469.240 et seq.**

Power exercise, disclaimer of interest, **Part III § 469.060**

Presumptions, death, continued absence, **Part I § 456.035**

Principal and income. Trusts and Trustees, this index

Prior nonprobate transfers, **Part III § 461.081**

Recovery of property, **Part III § 461.300**

Revocation, disclaimer of interest, **Part III § 469.040**

Rules and regulations, disclaimer of interest, **Part III § 469.090**

Separate interests, disclaimer of interest, **Part III § 469.050**

Signatures, disclaimer of interest, **Part III § 469.020**

Spendthrift trusts

Generally, **Part I § 456.5-501 et seq.**

Disclaimer of interest, **Part III § 469.020**

Statute of limitations. Limitation of actions, generally, above

Time, disclaimer of interest, **Part III § 469.020**

Transfers, nonprobate transfers, **Part III § 461.003 et seq.**

Trusts and trustees, nonprobate transfers, **Part III § 461.001**

**PRODUCTION OF BOOKS AND PAPERS**

Trusts and trustees

Application of law, **Part I § 456.1-105**

Beneficiaries, **Part I § 456.8-813**

**PROFIT SHARING PLANS**

Trusts and Trustees, this index

**PROMISSORY NOTES**

Negotiable Instruments, generally, this index

Nonprobate transfers, **Part III § 461.003 et seq.**

**PROOF OF DEATH**

Definitions, nonprobate transfers, **Part III § 461.005**

**PROPERTY**

Beneficiary designation, nonprobate transfers, **Part III § 461.033 et seq.**

Beneficiary form, nonprobate transfers, **Part III § 461.003 et seq.**

Bequest, property in kind, valuation, **Part I § 456.001**

Definitions

Nonprobate transfers, **Part III § 461.005**

Trusts and trustees, **Part I § 456.1-103**

Lost property, beneficiary rights, **Part III § 461.037**

Nonprobate transfers

Generally, **Part III § 461.003 et seq., 461.009**

Beneficiary form, **Part III § 461.028**

Personal Property, generally, this index

## INDEX

### **PROPERTY—Cont'd**

- Real Estate, generally, this index
- Registration, nonprobate transfers, beneficiary form, **Part III § 461.062**
- Trust, transfer of property in kind, valuation, **Part I § 456.001**

### **PROTECTEES**

- Guardian and Ward, generally, this index

### **PRUDENT INVESTOR ACT**

- Generally, **Part III § 469.900 et seq.**

### **PUBLIC OFFICERS AND EMPLOYEES**

- Retirement and Pensions, generally, this index

### **QUALIFIED REMAINDER BENEFICIARY**

- Distribution of trust income or principal to, **Part I § 456.4-418**

### **QUALIFIED SPOUSAL TRUST**

- Tenants by the entirety, sole ownership, interests and distribution of property upon death of settler, **Part I § 456.950**

### **REAL ESTATE**

- Deeds and Conveyances, generally, this index
- Sales. Deeds and Conveyances, generally, this index
- Trusts and trustees, powers and duties, **Part I § 456.8-816**
- Trusts for benefit for employees
  - Accumulation of income, **Part I § 456.013**
  - Application of law, **Part I § 456.017**
  - Continuance until purpose accomplished, **Part I § 456.011**
  - Spendthrift trust, **Part I § 456.014**

### **REAL ESTATE BROKERS AND SALESPERSONS**

- Durable power of attorney, **Part III § 404.710**

### **REAL PROPERTY**

- Real Estate, generally, this index

### **RECEIPTS**

- Trusts and trustees, principal and income, allocation, **Part III § 469.429**
- Trusts and trustees, principal and income, apportionment, **Part III § 469.423**

### **RECEIVERS AND RECEIVERSHIPS**

- Uniform fiduciaries law, **Part III § 469.240 et seq.**

### **RECORDS AND RECORDATION**

- Trusts and Trustees, this index

### **REGISTRATION**

- Nonprobate transfers
  - Generally, **Part III § 461.028**
  - Beneficiary designation, **Part III § 461.062**
  - Definitions, **Part III § 461.005**
- Trusts, **Part I § 456.027 et seq.**

**RELEASE**

- Gift instrument, Uniform Prudent Management of Institutional Funds Act, **Part III § 402.138**
- Powers of appointment, **Part I § 456.1085**
- Trusts and Trustees, this index
- Uniform Prudent Management of Institutional Funds Act, gift instrument, **Part III § 402.138**

**RELIGIOUS ORGANIZATIONS AND SOCIETIES**

- Trusts and trustees, **Part I § 456.4-405**

**REMEDIES**

- Powers of appointment, **Part I § 456.1095**
- Trusts and trustees, **Part I § 456.10-1001**

**RENTS**

- Nonprobate transfers, **Part III § 461.062**

**RESIDUAL CLAUSE**

- Powers of appointment, **Part I § 456.1020**

**RESULTING TRUSTS**

- Generally, **Part I § 456.4-401**

**RETIREMENT AND PENSIONS**

- Attachment, spendthrift trust, **Part I § 456.014**
- Bankruptcy, spendthrift trust, **Part I § 456.014**
- Benefits, nonprobate transfers, **Part III § 461.001**
- Nonprobate transfers, **Part III § 461.001 et seq., 461.003 et seq.**
- Self employed, trusts
  - Accumulation of income, **Part I § 456.013**
  - Application of law, **Part I § 456.017**
  - Continuance until purpose accomplished, **Part I § 456.011**
  - Spendthrift trust, **Part I § 456.014**
- Trusts and trustees
  - Generally, **Part I § 456.8-816**
  - Accumulation of income, **Part I § 456.013**
  - Application of law, **Part I § 456.013, 456.017**
  - Continuance until purpose accomplished, **Part I § 456.011**
  - Principal and income, apportionment, **Part III § 469.437**
  - Spendthrift trust, **Part I § 456.014**
  - Term, **Part I § 456.011**

**REVOCABLE TRUSTS**

- Generally, **Part I § 456.6-601 et seq.**

**REVOCACTION**

- Deeds and conveyances, **Part III § 461.033**
- Dissolution of marriage, beneficiary designation, **Part III § 461.051**
- Nonprobate transfers, **Part III § 461.033**
- Powers of appointment, **Part I § 456.1010, 456.1075**
- Probate proceedings, disclaimer of interest, **Part III § 469.040**

## INDEX

### **REVOCACTION—Cont'd**

Trusts and trustees, **Part I § 456.4-410, 456.021**

### **RULE AGAINST PERPETUITIES**

Trusts and trustees, **Part I § 456.026**

Trusts and Trustees, this index

### **SALES**

Beneficiary designation, nonprobate transfer of property, **Part III § 461.033 et seq.**

Bills of sale, ownership transferred to designated transferee beneficiary, **Part III § 461.026**

Deeds and Conveyances, generally, this index

Nonprobate transfers

Change, **Part III § 461.033**

Revocation, **Part III § 461.033**

Trusts and trustees, **Part I § 456.8-816**

### **SECURED TRANSACTIONS**

Trusts and trustees, principal and income, disbursements, **Part III § 469.453**

### **SECURITIES**

Nonprobate transfers

Beneficiary designation, **Part III § 461.033 et seq.**

Beneficiary form, **Part III § 461.028**

Definitions, **Part III § 461.005**

Trusts and trustees

Conflict of interest, **Part I § 456.8-802**

Powers and duties, **Part I § 456.8-816**

Principal and income, asset backed securities, apportionment, **Part III § 469.449**

### **SETOFF AND COUNTERCLAIM**

Nonprobate transfers, **Part III § 461.039**

### **SETTLOR**

Capacity, **Part I § 456.4-402, 456.6-601**

Trusts and trustees, **Part II § 2:9**

### **SEVERABILITY CLAUSE**

Trusts and trustees, **Part I § 456.11-1103**

### **SHARES AND SHAREHOLDERS**

Corporations, this index

Nonprobate transfers, **Part III § 461.001 et seq.**

### **SIGNATURES**

Powers of appointment, **Part I § 456.1130**

Probate proceedings, disclaimer of interest, **Part III § 469.020**

Trusts and trustees

Certification of trust, **Part I § 456.10-1013**

Electronic signatures, **Part I § 456.11-1102**

**SOCIAL SERVICES**

Trusts and trustees, **Part I § 456.4-405**

**SPENDTHRIFT PROVISIONS**

Definitions, trusts and trustees, **Part I § 456.1-103**

**SPENDTHRIFT TRUSTS**

Trusts and Trustees, this index

**SPLIT INTEREST TRUSTS**

Crimes and offenses, **Part I § 456.019**

**STANDARDS**

Trusts and Trustees, this index

**STATE**

Definitions, trusts and trustees, **Part I § 456.1-103**

Spendthrift trusts, claims, **Part I § 456.5-503**

**STATUTE OF LIMITATIONS**

Limitation of Actions, generally, this index

**STOCK BONUS PLAN**

Attachment and execution, spendthrift trust, **Part I § 456.014**

Bankruptcy, spendthrift trust, **Part I § 456.014**

Self employed, trusts for

Accumulation of income, **Part I § 456.013**

Application of law, **Part I § 456.017**

Continuance until purpose accomplished, **Part I § 456.011**

Spendthrift trust, **Part I § 456.014**

Trusts and trustees

Accumulation of income, **Part I § 456.013**

Application of law, **Part I § 456.017**

Spendthrift trust, **Part I § 456.014**

Term, **Part I § 456.011**

**SUPPORT**

Trusts and trustees

Discretionary powers, **Part I § 456.8-814**

Discretionary trusts, **Part I § 456.5-504**

Spendthrift trusts, **Part I § 456.5-503**

**SURVIVING SPOUSES**

Nonprobate transfers

Beneficiary designations, **Part III § 461.059**

Rights respecting value of property, **Part III § 461.071**

**SURVIVORSHIP**

Beneficiary designation

Creation of trusts, **Part III § 461.043**

Multiple beneficiaries, **Part III § 461.031**

Nonprobate transfers

Generally, **Part III § 461.042**

## INDEX

### **SURVIVORSHIP—Cont'd**

- Nonprobate transfers—Cont'd
- Multiple beneficiaries, **Part III § 461.031**

### **TAX SALES**

- Exemptions, nonprobate transfers, **Part III § 461.073**

### **TAXATION**

- Trusts and Trustees, this index

### **TESTAMENTARY TRUSTS AND TRUSTEES**

- Trusts and Trustees, generally, this index

### **THIRD PARTIES**

- Negotiable instruments, payee, **Part III § 469.270**
- Power of Attorney, this index

### **THIRD PERSON**

- Definitions, durable power of attorney, **Part III § 404.703**

### **TIMBER AND LUMBER**

- Trusts and trustees, principal and income, apportionment, **Part III § 469.427, 469.443**

### **TITLE TO PROPERTY**

- Deeds and Conveyances, generally, this index

### **TORTS**

- Trusts and trustees, liability, **Part I § 456.10-1010**

### **TRANSFERRING ENTITY**

- Nonprobate transfers
- Agency, duties, **Part III § 461.011**
- Agreement, necessity of, **Part III § 461.012**
- Agreement terms, **Part III § 461.005**
- Definitions, **Part III § 461.005**
- Powers and duties, **Part III § 461.001, 461.014**

### **TRANSFERS ON DEATH**

- Nonprobate transfers, **Part III § 461.003 et seq.**
- Powers of appointment, **Part I § 456.995**

### **TRAVELING EXPENSES**

- Trusts and trustees, reimbursement, **Part I § 456.7-709**

### **TRUST CODE**

- Generally, **Part I § 456.1-101 et seq.**

### **TRUST COMPANIES**

- Bank Deposits and Collections, generally, this index

### **TRUSTS AND TRUSTEES**

- Generally, **Part I § 456.1-101 et seq., Part II § 1:1 et seq.**
- Abandoned or unclaimed property
- Generally, **Part I § 456.8-816, 456.037**

**TRUSTS AND TRUSTEES—Cont'd**

Abandoned or unclaimed property—Cont'd

Escheat, **Part I § 456.039**

Liability of trustee, **Part I § 456.041**

Absence of active duties, effect on trustee powers, **Part I § 456.003**

Acceptance by trustee, **Part II § 2:11**

Acceptance of trusteeship, **Part I § 456.7-701**

Accounts and accounting

Generally, **Part I § 456.8-813**

Compromise and settlement, **Part I § 456.1-111**

Principal and income, business and commerce, separate accounting, **Part III § 469.427**

Actions and proceedings

Generally, **Part I § 456.2-201 et seq.**

Breach of trust, **Part I § 456.10-1001 et seq.**

Charities, **Part I § 456.4-405**

Declaration of rights, **Part I § 456.2-201**

Definitions, **Part I § 456.1-103**

Modification, **Part I § 456.4-410**

Powers and duties, **Part I § 456.8-816**

Revocable trusts, **Part I § 456.6-604**

Termination, **Part I § 456.4-410**

Active duties, absence, effect on trustee powers, **Part I § 456.003**

Actual knowledge, facts, **Part I § 456.1-104**

Additional trustees, appointment, **Part I § 456.7-704**

Additions, trust instruments, **Part I § 456.021**

Address

Notice, **Part I § 456.8-813**

Principal place of administration, **Part I § 456.1-108**

Adjustments, principal and income, apportionment, **Part III § 469.403, 469.405, 469.461**

Administration

Conflict of interest, **Part I § 456.8-802**

Contrary direction, **Part I § 456.8-808**

Control, property, **Part I § 456.8-809**

Cotrustees, **Part I § 456.7-703**

Courts, intervention, **Part I § 456.2-201**

Defenses, claims, **Part I § 456.8-811**

Delegation of powers and duties, **Part I § 456.8-807**

Expenses and expenditures, **Part I § 456.8-805**

Good faith, **Part I § 456.8-801**

Impartiality, **Part I § 456.8-803**

Ineffective administration, modification, termination, **Part I § 456.4-412**

Intervention, courts, **Part I § 456.2-201**

Liability, **Part I § 456.10-1001 et seq.**

Losses, **Part I § 456.10-1003**

Modification, **Part I § 456.4-410 et seq.**

Powers and duties, **Part I § 456.8-801 et seq.**

## INDEX

### TRUSTS AND TRUSTEES—Cont'd

#### Administration—Cont'd

- Principal place of administration, **Part I § 456.1-108**
- Production of books and papers, beneficiaries, **Part I § 456.8-813**
- Profits, **Part I § 456.10-1003**
- Prudent person standard, **Part I § 456.8-804**
- Records and recordation, **Part I § 456.8-810**
- Removal, **Part I § 456.7-706**
- Reports, **Part I § 456.8-813**
- Special skills, **Part I § 456.8-806**
- Spendthrift trusts, **Part I § 456.5-501 et seq.**

#### Adverse or pecuniary interest

- Generally, **Part I § 456.8-802**
- Principal and income, apportionment, adjustments, **Part III § 469.405**
- Prudent investors, **Part III § 469.905, 469.906**

#### Affidavits, incapacity, revocable trusts, **Part I § 456.6-603**

#### Agents and agencies

- Generally, **Part I § 456.3-301 et seq.**
- Consent, modification, termination, **Part I § 456.4-411A, 456.4-411B**
- Delegation of powers and duties, **Part I § 456.8-807**
- Prudent investors, **Part III § 469.909**
- Revocable trusts, **Part I § 456.6-602**

#### Agriculture, principal and income, separate accounting, **Part III § 469.427**

#### Amendments

- Effect on validity, **Part I § 456.021**
- Life insurance trust, effect on trustee powers, **Part I § 456.005**
- Revocable trusts, **Part I § 456.6-602**

#### Animals, **Part I § 456.4-408**

#### Annuities

- Generally, **Part I § 456.8-816**
- Principal and income, apportionment, **Part III § 469.437**

#### Appeals, **Part I § 456.2-204**

#### Applicability

- Discretionary trusts, **Part I § 456.5-504**

#### Application of law

- Generally, **Part I § 456.1-102, 456.1-105 et seq., 456.11-1101 et seq., Part III § 469.330**
- Common law, **Part I § 456.1-106**
- Equity, **Part I § 456.1-106**
- Principal and income, below
- Prudent investors, **Part III § 469.911**
- Rule against perpetuities, **Part I § 456.025**

#### Appointments

- Generally, **Part I § 456.7-701**
- Additional trustees, **Part I § 456.7-704**
- Compromise and settlement, **Part I § 456.1-111**
- New trustee, **Part II § 2:14**
- Representatives, **Part I § 456.3-305**

**TRUSTS AND TRUSTEES—Cont'd**

Appointments—Cont'd

Special fiduciaries, **Part I § 456.7-704**

Vacancies, **Part I § 456.7-704**

Apportionment, principal and income, below

Arbitration, **Part I § 456.2-205**

Assessments, **Part I § 456.8-816**

Asset protection trusts, **Part I § 456.5-505**

Assets

Collecting, **Part I § 456.8-812**

Control, **Part I § 456.8-809**

Depreciation, **Part I § 456.10-1003**

Former trustees, delivery, **Part I § 456.7-707, 456.8-812**

Insufficient funds, termination, **Part I § 456.4-414**

Principal and income, generally, below

Protection, **Part I § 456.8-809**

Records and recordation, **Part I § 456.8-810**

Reports, **Part I § 456.8-813**

Retention and disposition, **Part III § 469.904**

Transfers, creation, **Part I § 456.4-401**

Assignments, life insurance trust proceeds, **Part I § 456.005**

Assignments for benefit of creditors, spendthrift trusts, **Part I § 456.5-501 et seq.**

Attachment, spendthrift trusts, **Part I § 456.5-501 et seq., 456.014**

Attorney fees

Generally, **Part I § 456.10-1004**

Payment, assessment, **Part I § 456.10-1004**

Principal and income, payment, termination, **Part III § 469.413**

Attorney general, charitable trusts, beneficiaries, notice, **Part I § 456.1-110**

Bank deposits and collections, **Part I § 456.8-816**

Bankruptcy, this index

Beneficiaries

Adverse or pecuniary interest, **Part I § 456.8-802**

Agents and agencies, **Part I § 456.3-301 et seq.**

Animals, **Part I § 456.4-408**

Application of law, **Part I § 456.1-105**

Breach of trust, **Part I § 456.10-1001 et seq.**

Charitable trusts, **Part I § 456.1-110, 456.4-405**

Conflict of interest, **Part I § 456.8-802**

Consent, breach of trust, **Part I § 456.10-1009**

Debtors and creditors, spendthrift trusts, **Part I § 456.5-501 et seq.**

Definitions, **Part I § 456.1-103**

Dissolution of marriage, **Part I § 456.1-112**

Extent of interest, **Part II § 2:22**

Identity and identification

Certificates and certification, **Part I § 456.10-1013**

Unknown beneficiaries

Generally, **Part I § 456.4-409**

## INDEX

### TRUSTS AND TRUSTEES—Cont'd

#### Beneficiaries—Cont'd

Identity and identification—Cont'd

Unknown beneficiaries—Cont'd

Representation, **Part I § 456.3-304, 456.3-305**

Impartiality, administration, **Part I § 456.8-803**

Indefinite class, creation, **Part I § 456.4-402**

Irrevocable trusts, notice, **Part I § 456.8-813**

Jurisdiction, **Part I § 456.2-202**

Multiple, **Part II § 2:20**

Necessity, **Part II § 2:17**

Notice, **Part I § 456.1-110**

Principal and income, distributions, termination, **Part III § 469.413, 469.415**

Purpose, creation, **Part I § 456.4-404**

Reports, **Part I § 456.8-813**

Representation, **Part I § 456.3-301 et seq.**

Settlor as beneficiary, **Part II § 2:18**

Spendthrift trusts, **Part I § 456.5-501 et seq.**

Trustee, beneficiary as, **Part II § 2:8**

Trustee as beneficiary, **Part II § 2:19**

Unincorporated associations, **Part II § 2:21**

Unknown beneficiaries

Generally, **Part I § 456.4-409**

Representation, **Part I § 456.3-304, 456.3-305**

Beneficiaries, descriptions, **Part III § 469.600**

Beneficiary designation, validity, **Part III § 461.043**

Bequests to spouse, valuation, **Part I § 456.001**

Best evidence rule, **Part I § 456.4-407**

Bingham's case, rule in, **Part III § 469.600**

Bonds (officers and fiduciaries)

Generally, **Part I § 456.7-702**

Application of law, **Part I § 456.1-105**

Resignation, **Part I § 456.7-705**

Bonds, principal and income, apportionment, **Part III § 469.432**

Boundaries, **Part I § 456.8-816**

Breach of trust

Generally, **Part I § 456.10-1001 et seq.**

Compensation, **Part II § 2:16**

Removal, **Part I § 456.7-706**

Capacity to create a trust, **Part I § 456.4-408, Part II § 2:5**

Care of animals, trust for, **Part I § 456.4-408**

Certificates and certification, **Part I § 456.10-1013**

Certified copies, registration records, issuance, **Part I § 456.031**

Charitable trusts

Generally, **Part I § 456.4-405**

Action to enforce, **Part I § 456.4-405**

Definitions, trusts and trustees, **Part I § 456.1-103**

Standing, **Part I § 456.4-405**

**TRUSTS AND TRUSTEES—Cont'd**

Children and minors

Discretionary powers, **Part I § 456.8-814**

Representatives, **Part I § 456.3-303**

Spendthrift trusts, exemptions, **Part I § 456.5-503**

Circuit courts, registration, **Part I § 456.027 et seq.**

Circumstances, knowledge, **Part I § 456.1-104**

Claims

Breach of trust, **Part I § 456.10-1001 et seq.**

Defenses, **Part I § 456.8-811**

Enforcement, **Part I § 456.8-811**

Irrevocable trusts, **Part I § 456.5-505**

Mandatory distributions, **Part I § 456.5-506**

Overdue distributions, **Part I § 456.5-506**

Revocable trusts, **Part I § 456.6-604**

Spendthrift trusts, **Part I § 456.5-501 et seq.**

Trustees, **Part I § 456.5-507**

Coercion, **Part I § 456.4-406**

Collateral, principal and income, asset backed securities, apportionment, **Part III § 469.449**

Combination, **Part I § 456.4-417**

Common law, application of law, **Part I § 456.1-106**

Community property

Powers and duties, **Part I § 456.8-816**

Revocable trusts, **Part I § 456.6-602**

Compensation and salaries

Generally, **Part I § 456.7-708, Part II § 2:15, 2:16**

Application of law, **Part I § 456.1-105**

Breach of trust, **Part II § 2:16**

Principal and income, apportionment, **Part III § 469.451, 469.453**

Reports, **Part I § 456.8-813**

Compromise and settlement, **Part I § 456.1-111, 456.8-816**

Confidential relationship, **Part I § 456.4-401**

Conflict of interest, **Part I § 456.8-802**

Conflict of laws, prudent investors, **Part III § 469.913**

Consent

Breach of trust, **Part I § 456.10-1009**

Modification, termination, **Part I § 456.4-411A, 456.4-411B**

Representatives, **Part I § 456.3-301**

Construction of law, **Part I § 456.11-1101 et seq.**

Construction of trusts, **Part I § 456.1-112**

Constructive trusts, **Part I § 456.4-401**

Contests of trusts, **Part I § 456.6-604**

Contracts

Generally, **Part I § 456.8-816**

Electronic transactions, **Part I § 456.11-1102**

Liability, **Part I § 456.10-1010**

Partnerships, **Part I § 456.10-1011**

## INDEX

### TRUSTS AND TRUSTEES—Cont'd

- Contributions, breach of trust, joint trustees, **Part I § 456.10-1002**
- Control, property, **Part I § 456.8-809**
- Conversion, principal and income, unproductive property, **Part III § 469.445**
- Conveyances, deeds and conveyances, generally, below
- Copies, certification of trust, **Part I § 456.10-1013**
- Corporations as trustees, **Part II § 2:6**
- Costs
  - Generally, **Part I § 456.10-1004**
  - Prudent investors, **Part III § 469.907**
- Cotrustees, **Part I § 456.7-703**
  - Breach of trust, **Part I § 456.10-1002**
- Courts, intervention, **Part I § 456.2-201**
- Creation
  - Generally, **Part I § 456.4-401 et seq.**
  - Acceptance by beneficiary, **Part II § 1:11**
  - Acceptance by trustee, **Part II § 1:10**
  - Application of law, **Part I § 456.1-105**
  - Capacity of settlor, **Part II § 1:6**
  - Consideration, **Part II § 1:8**
  - Controlling law, **Part II § 1:5**
  - Custodial account constituting health savings account, **Part I § 456.006**
  - Health savings account, custodial account constituting, **Part I § 456.006**
  - Intention to create trust, **Part II § 1:7**
  - Methods, **Part II § 1:4**
  - Oral trusts, **Part II § 1:12**
  - Pour-over wills, **Part II § 1:15**
  - Testamentary trusts, **Part II § 1:14, 1:16**
  - Totten or tentative trusts, **Part II § 1:16**
  - Transfer to trustee, **Part II § 1:9**
  - Written trusts and parol evidence rule, **Part II § 1:13**
- Creditors, debtors and creditors, generally, below
- Crimes and offenses, personal property lease deposits, misuse, **Part I § 456.007**
- Custodial account constituting health savings account, **Part I § 456.006**
- Cy pres, charitable trusts, **Part I § 456.4-413**
- Damages, breach of trust, **Part I § 456.10-1002**
- Death
  - Certificates and certification, evidentiary value, **Part I § 456.035**
  - Revocable trusts, **Part I § 456.6-604**
  - Trustees, **Part I § 456.7-704, Part II § 2:10**
- Death benefits, employees or self employed persons
  - Accumulation of income, **Part I § 456.013**
  - Application of law, **Part I § 456.017**
  - Nonprobate transfers, **Part III § 461.001**
  - Spendthrift trust, **Part I § 456.014**
  - Term of trust, **Part I § 456.011**

**TRUSTS AND TRUSTEES—Cont'd**

- Debtors and creditors, **Part I § 456.5-505**
- Distributions
  - Mandatory distributions, **Part I § 456.5-506**
  - Spendthrift trusts, **Part I § 456.5-501 et seq.**
  - Exemptions, spendthrift trusts, **Part I § 456.5-501 et seq.**
  - Spendthrift trusts, **Part I § 456.014**
  - Trustees, **Part I § 456.5-507**
- Declaratory judgment, **Part I § 456.2-201**
- Deeds and conveyances
  - Generally, **Part I § 456.8-816**
  - Active duties of trustee, absence, effect on powers, **Part I § 456.003**
  - Statute of uses, trustees powers, effect on, **Part I § 456.003**
- Defenses, claims, **Part I § 456.8-811**
- Deferred compensation, principal and income, apportionment, **Part III § 469.437**
- Definitions
  - Generally, **Part I § 456.1-103, Part II § 1:2**
  - Prudent investors, **Part III § 469.900**
  - Registration, **Part I § 456.027, 456.033**
- Delegation of powers and duties
  - Generally, **Part I § 456.8-807**
  - Cotrustees, **Part I § 456.7-703**
- Deposits, lessee, effect, penalty, **Part I § 456.007, 456.009**
- Depreciation
  - Generally, **Part I § 456.10-1003**
  - Principal and income, assets
    - Apportionment, **Part III § 469.439**
    - Transfers, **Part III § 469.455**
- Derivatives, principal and income, apportionment, **Part III § 469.447**
- Direction, powers and duties, **Part I § 456.8-808**
- Disability benefits, employees or self employed persons
  - Accumulation of income, **Part I § 456.013**
  - Application of law, **Part I § 456.013**
  - Spendthrift trusts, **Part I § 456.014**
  - Term of trust, **Part I § 456.011**
- Disclaimer, **Part II § 2:11**
- Discretionary powers, **Part I § 456.8-814**
- Discretionary trusts, **Part I § 456.5-504**
- Disqualification, trustees, **Part I § 456.7-704**
- Dissolution of marriage, beneficiaries, **Part I § 456.1-112**
- Distinctions, **Part II § 1:3**
- Distribution of property upon death of settler, qualified spousal trust, **Part I § 456.950**
- Distributions
  - Beneficiaries' other assets, **Part I § 456.4-407**
  - Death, revocable trusts, **Part I § 456.6-604**
  - Discretion of court, **Part I § 456.4-407**

INDEX

**TRUSTS AND TRUSTEES—Cont'd**

Distributions—Cont'd

Discretionary powers, **Part I § 456.8-814**

Discretionary trusts, **Part I § 456.5-504**

First and second trusts, discretionary power of, notice requirements, **Part I § 456.4-419**

Impartiality, **Part I § 456.8-803**

Mandatory, **Part I § 456.4-407**

Mandatory distributions, **Part I § 456.5-506**

Powers and duties, **Part I § 456.8-816, 456.8-817**

Principal and income, below

Qualified remainder beneficiary, trust income or principal, **Part I § 456.4-418**

Qualified spousal trust, **Part I § 456.950**

Revocable trusts, **Part I § 456.6-604**

Spendthrift trusts, **Part I § 456.5-501 et seq.**

Support, **Part I § 456.4-407**

Termination, **Part I § 456.8-817**

District courts, strict courts, jurisdiction, **Part I § 456.2-202**

Diversification, prudent investors, **Part III § 469.903**

Division, **Part I § 456.4-417**

Doctrine of worthier title, **Part III § 469.600**

Domicile and residence, principal place of administration, **Part I § 456.1-108**

Dry trusts, effect on trustee powers, **Part I § 456.003**

Durable power of attorney, **Part III § 404.710**

Duress or coercion, **Part I § 456.4-406**

Duties. powers and duties, generally, below

Easements, **Part I § 456.8-816**

Education, **Part I § 456.4-405**

Electronic transactions, **Part I § 456.11-1102**

Employees. officers and employees, generally, below

Employment. Labor and Employment, this index

Enforceable interest

Discretionary trusts, **Part I § 456.5-504**

Environment

Generally, **Part I § 456.8-816**

Liability, **Part I § 456.10-1010**

Environmental protection, principal and income, disbursements, **Part III § 469.453**

Equitable lien, **Part I § 456.4-401**

Equity, application of law, **Part I § 456.1-106**

Escheat, unclaimed property, **Part I § 456.039**

Establishment, **Part I § 456.4-401 et seq.**

Evidence

Conflict of interest, voidable transactions, **Part I § 456.8-802**

Death or status, **Part I § 456.035**

Oral trusts, **Part I § 456.4-407**

Revocable trusts, **Part I § 456.6-602**

Evidence, proving up trust, best evidence rule, **Part I § 456.4-407**

**TRUSTS AND TRUSTEES—Cont'd**

- Excess business holdings, retention, **Part I § 456.019**
- Exculpatory and exoneration clauses, **Part I § 456.10-1008**
- Exculpatory terms, breach of trust, **Part I § 456.10-1008**
- Exemptions
  - Nonprobate transfers, **Part III § 461.073**
  - Spendthrift trusts, **Part I § 456.5-503**
- Existing relationships, application to, **Part I § 456.11-1106**
- Expenses and expenditures
  - Administration, **Part I § 456.8-805**
  - Assessed against parties to litigation, **Part I § 456.10-1004**
  - Principal and income, below
  - Reimbursement of trustee, **Part I § 456.7-709**
- Expiration, **Part I § 456.4-410**
- Fees
  - American rule, equitable distribution, **Part I § 456.10-1004**
  - Assessed against parties to litigation, **Part I § 456.10-1004**
  - Litigation, **Part I § 456.10-1004**
- Fiduciary relationship, **Part I § 456.4-401**
- Filing, registration records, **Part I § 456.031**
- Fines and penalties, misuse of deposit, personal property leases, **Part I § 456.009**
- Foreign countries
  - Generally, **Part I § 456.4-403**
  - Powers and duties, **Part I § 456.8-816**
  - Principal place of administration, **Part I § 456.1-108**
- Foreign states
  - Generally, **Part I § 456.4-403**
  - Powers and duties, **Part I § 456.8-816**
  - Principal place of administration, **Part I § 456.1-108**
- Former trustees, property, delivery, **Part I § 456.7-707, 456.8-812**
- Fraud
  - Generally, **Part I § 456.4-406**
  - Debtors and creditors, **Part I § 456.5-505**
- Fraudulent transfers
  - Generally, **Part I § 456.5-505**
  - Confidential relationship, **Part I § 456.4-401**
  - Mistake as ground for, **Part I § 456.4-401**
- Good faith
  - Generally, **Part I § 456.1-105**
  - Administration, **Part I § 456.8-801**
  - Direction, powers and duties, **Part I § 456.8-808**
  - Discretionary powers, **Part I § 456.8-814**
  - Reliance, certification of trust, **Part I § 456.10-1013**
  - Third parties, liability, **Part I § 456.10-1012**
- Governing law, **Part I § 456.1-107**
- Guardian and ward, powers and duties, **Part I § 456.3-303**
- Health savings account, custodial account constituting, **Part I § 456.006**

INDEX

**TRUSTS AND TRUSTEES—Cont'd**

Husband and wife

Discretionary powers, support, **Part I § 456.8-814**

Discretionary trusts, **Part I § 456.5-504**

Revocable trusts, **Part I § 456.6-602**

Spendthrift trusts, **Part I § 456.5-503**

Identity and identification

Beneficiaries, above

Certificates and certification, **Part I § 456.10-1013**

Property, **Part I § 456.8-810**

Written instruments, **Part I § 456.021**

Immunities, privileges and immunities, generally, below

Impartiality, administration, **Part I § 456.8-803**

Improvements, principal and income

Transfers, **Part III § 469.457**

Unproductive property, **Part III § 469.445**

Incapacity, revocable trusts, **Part I § 456.6-603**

Income

Distributions, generally, above

Nonprobate transfers, **Part III § 461.001**

Principal and income, generally, below

Income tax-federal, discretionary powers, distributions, **Part I § 456.8-814**

Income Tax-State, this index

Indebtedness, principal and income

Disbursements, **Part III § 469.453**

Receipts, **Part III § 469.432**

Indefinite class, beneficiaries, creation, **Part I § 456.4-402**

Indemnity

Generally, **Part I § 456.8-816**

Breach of trust, void, **Part I § 456.10-1008**

Reasonable care, **Part I § 456.10-1007**

Indexes, registration records, **Part I § 456.031**

Indigent persons, purpose, **Part I § 456.4-405**

Insolvency, trustees, **Part I § 456.5-507**

Instructions, petition for. See Declaratory Judgment, above

Insufficient funds, termination, **Part I § 456.4-414**

Insurance, this index

Intent

Creation, **Part I § 456.4-402**

Mistakes, reformation, **Part I § 456.4-415**

Interest

Expenses and expenditures, reimbursement, **Part I § 456.7-709**

Principal and income, generally, below

Interested persons, definitions, registration, **Part I § 456.033**

Internal affairs, definitions, registration, **Part I § 456.033**

Interpretation of law, prudent investors, **Part III § 469.912**

Intervention, courts, **Part I § 456.2-201**

**TRUSTS AND TRUSTEES—Cont'd**

Introduction, **Part I § 456.001 - Part I § 456.026**

Investments

Conflict of interest, voidable transactions, **Part I § 456.8-802**

Multiple trusts, **Part I § 456.8-810**

Principal and income, generally, below

Irrevocable trusts

Claims, **Part I § 456.5-505**

Modification or termination, noncharitable, by consent

Applicability, **Part I § 456.4B-411**

Exceptions, **Part I § 456.4A-411**

Notice, **Part I § 456.8-813**

Joint trustees, breach of trust, **Part I § 456.10-1002**

Jurisdiction

Generally, **Part I § 456.2-202**

Definitions, **Part I § 456.1-103**

Effect of registration, submission to jurisdiction, **Part I § 456.033**

Personal jurisdiction, **Part I § 456.2-202**

Subject matter jurisdiction, **Part I § 456.2-202**

Knowledge, **Part I § 456.1-104**

Labor and Employment, this index

Landlord and tenant, principal and income, apportionment, **Part III § 469.427, 469.431**

Leases, this index

Legal title, trustees powers, dry or passive trust, **Part I § 456.003**

Liability

Generally, **Part I § 456.10-1001 et seq.**

Abandoned or unclaimed property, **Part I § 456.041**

Compromise and settlement, **Part I § 456.1-111**

Partnerships, **Part I § 456.10-1011**

Third parties, **Part I § 456.10-1012**

Liens and incumbrances

Advances, expenses and expenditures, **Part I § 456.7-709**

Conflict of interest, voidable transactions, **Part I § 456.8-802**

Life insurance

Generally, **Part I § 456.8-816**

Principal and income, apportionment, **Part III § 469.433**

Life insurance trusts, **Part I § 456.005**

Limitation of actions

Generally, **Part I § 456.10-1005**

Contests of trusts, **Part I § 456.6-604**

Liability of trustees, **Part I § 456.10-1005**

Retroactive application of MUTC (Pre-2005 trusts), **Part I § 456.11-1106**

Time, below

Limited liability companies, powers and duties, **Part I § 456.8-816**

Liquidation, principal and income, investments, apportionment, **Part III § 469.423**

Loans, **Part I § 456.8-816**

## INDEX

### TRUSTS AND TRUSTEES—Cont'd

- Losses, **Part I § 456.10-1003**
- Mail and mailing, notice, **Part I § 456.1-109**
- Managers and management, prudent investors, **Part III § 469.900 et seq.**
- Mandatory distributions, **Part I § 456.5-506**
- Marriage, **Part I § 456.1-112**
- Mediation, **Part I § 456.2-205**
- Medical benefits, employees and self employed persons
  - Accumulation of income, **Part I § 456.013**
  - Application of law, **Part I § 456.017**
  - Spendthrift trusts, **Part I § 456.014**
  - Term of trust, **Part I § 456.011**
- Mines and minerals, principal and income, apportionment, **Part III § 469.427, 469.441**
- Minors. children and minors, generally, above
- Misapplication of payments to, **Part I § 456.019**
- Mistake as ground for constructive trust, **Part I § 456.4-401**
- Mistakes, reformation, **Part I § 456.4-415**
- Modification
  - Generally, **Part I § 456.4-410 et seq.**
  - Application of law, **Part I § 456.1-105**
  - Cy pres, charitable trusts, **Part I § 456.4-413**
  - Direction, **Part I § 456.8-808**
  - Irrevocable trusts, noncharitable, by consent
    - Applicability, **Part I § 456.4B-411**
    - Exceptions, **Part I § 456.4A-411**
  - Mistakes, reformation, **Part I § 456.4-415**
  - Taxation, intent, **Part I § 456.4-416**
- Mortgages, **Part I § 456.8-816**
- Multiple beneficiaries, **Part II § 2:20**
- Names, notice, **Part I § 456.8-813**
- Negligence, liability, **Part I § 456.10-1010**
- No-contest clause, **Part I § 456.4-420**
- Nonprobate transfers, **Part III § 461.001 et seq., 461.003 et seq.**
- Notice
  - Generally, **Part I § 456.1-104, 456.1-109, 456.8-813**
  - Agents and agencies, **Part I § 456.3-301**
  - Application of law, **Part I § 456.1-105**
  - Certificates and certification, **Part I § 456.10-1013**
  - Combination, **Part I § 456.4-417**
  - Compensation and salaries, change, **Part I § 456.8-813**
  - Conflict of interest, **Part I § 456.8-802**
  - Cotrustees, privileges and immunities, **Part I § 456.7-703**
  - Distribution, termination, **Part I § 456.8-817**
  - Distributions of first and second trusts, discretionary power of, **Part I § 456.4-419**
  - Division, **Part I § 456.4-417**
  - Insufficient funds, termination, **Part I § 456.4-414**

**TRUSTS AND TRUSTEES—Cont'd**

Notice—Cont'd

- Irrevocable trusts, **Part I § 456.8-813**
- Principal place of administration, **Part I § 456.1-108**
- Representatives, **Part I § 456.3-301**
- Resignation, **Part I § 456.7-705**
- Waiver, **Part I § 456.1-109**

Objections and exceptions

- Distribution, **Part I § 456.8-817**
- Principal place of administration, **Part I § 456.1-108**

Officers and employees

- Generally, **Part I § 456.011, 456.013**
- Application of law, **Part I § 456.017**
- Spendthrift trusts, **Part I § 456.014**
- Options, principal and income, sales, apportionment, **Part III § 469.447**

Oral trusts, evidence, **Part I § 456.4-407**

Orders of court

- Continuing judicial supervision, **Part I § 456.2-201**
- Discretionary trusts, **Part I § 456.5-504**
- No-contest clause, **Part I § 456.4-420**
- Resignation, **Part I § 456.7-705**
- Spendthrift trusts, support, **Part I § 456.5-503**

Organizations, notice, **Part I § 456.1-104**

Overdue distributions, **Part I § 456.5-506**

Partial termination, distribution, **Part I § 456.8-817**

Partnerships, this index

Partnerships as trustees, **Part II § 2:7**

Passive trust, effect on trustee powers, **Part I § 456.003**

Payments to, effect, **Part I § 456.019**

Pecuniary interest, **Part I § 456.8-802**

Personal jurisdiction, **Part I § 456.2-202**

Personal liability, **Part I § 456.10-1001 et seq.**

Personal obligations, trustees, **Part I § 456.5-507**

Personal Property, this index

Pet trusts, **Part I § 456.4-408**

Power of Attorney, this index

Powers and duties

- Generally, **Part I § 456.1-105, 456.7-701, 456.8-801 et seq.**
- Accounts and accounting, **Part I § 456.8-813**
- Bonds (officers and fiduciaries), **Part I § 456.7-702**
- Certificates and certification, **Part I § 456.10-1013**
- Claims, **Part I § 456.8-811**
- Collecting, property, **Part I § 456.8-812**
- Contrary direction, **Part I § 456.8-808**
- Control, property, **Part I § 456.8-809**
- Cotrustees, **Part I § 456.7-703**
- Creation, **Part I § 456.4-402**

INDEX

**TRUSTS AND TRUSTEES—Cont'd**

Powers and duties—Cont'd

Delegation of powers and duties

Generally, **Part I § 456.8-807**

Cotrustees, **Part I § 456.7-703**

Direction, **Part I § 456.8-808**

Discretionary powers, **Part I § 456.8-814**

Fiduciaries, **Part I § 456.3-303**

General powers, **Part I § 456.8-815**

Good faith, **Part I § 456.8-801**

Impartiality, administration, **Part I § 456.8-803**

Loyalty, **Part I § 456.8-802**

Representatives, **Part I § 456.3-301 et seq.**

Revocable trusts, **Part I § 456.6-602**

Rule against perpetuities, **Part I § 456.025**

Special skills, administration, **Part I § 456.8-806**

Specific powers, **Part I § 456.8-816**

Presumptions

Conflict of interest, voidable transactions, **Part I § 456.8-802**

Death, five year absence, **Part I § 456.035**

Direction, powers and duties, **Part I § 456.8-808**

Principal and income

Generally, **Part III § 469.401 et seq.**

Apportionment

Annuities, **Part III § 469.437**

Bonds, **Part III § 469.432**

Business and commerce, separate accounting, **Part III § 469.427**

Changes, assets, **Part III § 469.429**

Collateral, asset backed securities, **Part III § 469.449**

Deferred compensation, **Part III § 469.437**

Depreciation, assets, **Part III § 469.439**

Derivatives, **Part III § 469.447**

Expenses and expenditures, **Part III § 469.451, 469.453**

Income tax-state, **Part III § 469.459**

Indebtedness, receipts, **Part III § 469.432**

Insubstantial receipts, **Part III § 469.435**

Insurance, **Part III § 469.433**

Liquidating assets, **Part III § 469.439**

Mandatory income interest, termination, **Part III § 469.421**

Mines and minerals, **Part III § 469.427, 469.441**

Options, sales, **Part III § 469.447**

Other trusts, distributions, **Part III § 469.425**

Receipts, **Part III § 469.423**

Rental property, **Part III § 469.427, 469.431**

Retirement and pensions, **Part III § 469.437**

Securities, asset backed securities, **Part III § 469.449**

Separate accounting, business and commerce, **Part III § 469.427**

**TRUSTS AND TRUSTEES—Cont'd**

Principal and income—Cont'd

Generally, **Part III § 469.401 et seq.**—Cont'd

Apportionment—Cont'd

Small receipts, **Part III § 469.435**

Timber and lumber, **Part III § 469.427, 469.443**

Time, receipts, disbursements, **Part III § 469.419**

Undistributed income, mandatory income interest, termination, **Part III § 469.421**

Water rights, **Part III § 469.441**

Attorney fees, payment, termination, **Part III § 469.413**

Beneficiaries, distributions, termination, **Part III § 469.413, 469.415**

Bonds, apportionment, **Part III § 469.432**

Changes, assets, apportionment, **Part III § 469.429**

Collateral, asset backed securities, apportionment, **Part III § 469.449**

Commencement, **Part III § 469.415**

Compensation and salaries, apportionment, **Part III § 469.451, 469.453**

Conversion, unproductive property, **Part III § 469.445**

Death, **Part III § 469.413**

Deferred compensation, apportionment, **Part III § 469.437**

Definitions, **Part III § 469.401**

Depreciation, assets

Apportionment, **Part III § 469.439**

Transfers, **Part III § 469.455**

Derivatives, apportionment, **Part III § 469.447**

Disbursements, apportionment

Income, **Part III § 469.451**

Principal, **Part III § 469.453**

Discretionary trusts, **Part I § 456.5-504**

Distributions

Animals, care, **Part I § 456.4-408**

Beneficiaries, jurisdiction, **Part I § 456.2-202**

Discretionary powers, **Part I § 456.8-814**

Discretionary trusts, **Part I § 456.5-504**

Impartiality, **Part I § 456.8-803**

Insufficient funds, termination, **Part I § 456.4-414**

Mandatory distributions, **Part I § 456.5-506**

Other trusts, apportionment, **Part III § 469.425**

Overdue distributions, **Part I § 456.5-506**

Powers and duties, **Part I § 456.8-816, 456.8-817**

Spendthrift trusts, **Part I § 456.5-501 et seq.**

Termination, **Part I § 456.4-411A, 456.4-411B, 456.8-817, Part III § 469.413, 469.415**

Time, **Part III § 469.419**

Unknown beneficiaries, **Part I § 456.4-409**

Effective date, application of law, **Part III § 469.467**

Environmental protection, disbursements, **Part III § 469.453**

## INDEX

### TRUSTS AND TRUSTEES—Cont'd

#### Principal and income—Cont'd

##### Generally, **Part III § 469.401 et seq.**—Cont'd

##### Expenses and expenditures

Income, apportionment, **Part III § 469.451**

Payment, termination, **Part III § 469.413**

Principal, apportionment, **Part III § 469.453**

Transfers, reimbursement, **Part III § 469.457**

##### Improvements

Transfers, **Part III § 469.457**

Unproductive property, **Part III § 469.445**

##### Income tax-state

Adjustments, **Part III § 469.461**

Apportionment, **Part III § 469.459**

##### Indebtedness

Disbursements, **Part III § 469.453**

Receipts, **Part III § 469.432**

Insurance, apportionment, **Part III § 469.433**

Landlord and tenant, apportionment, **Part III § 469.427, 469.431**

Life insurance, apportionment, **Part III § 469.433**

Liquidating assets, apportionment, **Part III § 469.439**

Liquidation, investments, apportionment, **Part III § 469.423**

Mandatory distributions, **Part I § 456.5-506**

Mines and minerals, apportionment, **Part III § 469.427, 469.441**

Options, sales, apportionment, **Part III § 469.447**

Other trusts, distributions, apportionment, **Part III § 469.425**

Overdue distributions, **Part I § 456.5-506**

Powers and duties, **Part III § 469.403**

Qualified spousal trust, **Part I § 456.950**

#### Accounts and accounting

Business and commerce, separate accounting, **Part III § 469.427**

Unitrust, **Part III § 469.411**

Actions and proceedings, breach of trust, **Part III § 469.409**

Adjustments, apportionment, **Part III § 469.403, 469.405, 469.461**

Actions and proceedings, **Part III § 469.409**

Adverse or pecuniary interest, apportionment, adjustments, **Part III § 469.405**

Actions and proceedings, **Part III § 469.409**

Agriculture, separate accounting, **Part III § 469.427**

Annuities, apportionment, **Part III § 469.437**

#### Application of law

Agents and agency, **Part III § 469.402**

Effective date, **Part III § 469.467**

Terms of instrument, **Part III § 469.403**

Uniformity, **Part III § 469.463**

Apportionment, **Part III § 469.423**

Adjustments, **Part III § 469.403, 469.405, 469.461**

Actions and proceedings, **Part III § 469.409**

**TRUSTS AND TRUSTEES—Cont'd**

Principal and income—Cont'd

Apportionment, **Part III § 469.423**—Cont'd

Disbursements

Income, **Part III § 469.451**

Principal, **Part III § 469.453**

Expenses and expenditures, payment, termination, **Part III § 469.413**

Receipts, principal, **Part III § 469.429**

Receipts, apportionment

Generally, **Part III § 469.423**

Principal, **Part III § 469.429**

Reimbursement, transfers, **Part III § 469.457**

Remainders, distributions, beneficiaries, **Part III § 469.413, 469.415**

Rental property, apportionment, **Part III § 469.427, 469.431**

Retirement and pensions, apportionment, **Part III § 469.437**

Secured transactions, disbursements, **Part III § 469.453**

Securities, asset backed securities, apportionment, **Part III § 469.449**

Separate accounting, business and commerce, **Part III § 469.427**

Severability clause, **Part III § 469.465**

Small receipts, apportionment, **Part III § 469.435**

Spendthrift trusts, distributions, **Part I § 456.5-501 et seq.**

Taxation

Apportionment, adjustments, **Part III § 469.405, 469.461**

Disbursements, **Part III § 469.451, 469.453**

Income tax-state, apportionment, **Part III § 469.459**

Termination

Distributions, **Part III § 469.413, 469.415**

Time, **Part III § 469.417**

Terms of instrument, powers and duties, **Part III § 469.403**

Timber and lumber, apportionment, **Part III § 469.427, 469.443**

Time

Apportionment, receipts, disbursements, **Part III § 469.419**

Commencement, **Part III § 469.417**

Termination, **Part III § 469.417**

Transfers

Depreciation, **Part III § 469.455**

Reimbursement, **Part III § 469.457**

Undistributed income, mandatory income interest, termination, apportionment,  
**Part III § 469.421**

Uniformity, application of law, **Part III § 469.463**

Unitrust, amount, **Part III § 469.411**

Unproductive property, improvements, **Part III § 469.445**

Water rights, apportionment, **Part III § 469.441**

Principal place of administration, **Part I § 456.1-108**

Definitions, **Part I § 456.027**

Priorities and preferences, vacancies, **Part I § 456.7-704**

Private foundations

Income tax, conformity to federal law, **Part I § 456.019**

## INDEX

### TRUSTS AND TRUSTEES—Cont'd

- Private foundations—Cont'd
  - Prohibited acts, **Part I § 456.019**
- Privileges and immunities
  - Cotrustees, **Part I § 456.7-703**
  - Partnerships, **Part I § 456.10-1011**
  - Revocable trusts, **Part I § 456.6-602, 456.6-604**
  - Third parties, **Part I § 456.10-1012**
- Probate proceedings, nonprobate transfers, **Part III § 461.001**
- Procedure, registration, **Part I § 456.029**
- Proceedings, actions and proceedings, generally, above
- Production of books and papers
  - Application of law, **Part I § 456.1-105**
  - Beneficiaries, **Part I § 456.8-813**
- Professional fiduciary, definitions, registration, **Part I § 456.027**
- Profit sharing plans, employees and self employed persons
  - Accumulation of income, **Part I § 456.013**
  - Application of law, **Part I § 456.017**
  - Spendthrift trust, **Part I § 456.014**
  - Term of trust, **Part I § 456.011**
- Profits, **Part I § 456.10-1003**
- Property
  - Depreciation, **Part I § 456.10-1003**
  - Indefinite or nonexistent interests or subject matter, **Part II § 2:2**
  - Intangibles, **Part II § 2:4**
  - Necessity, **Part II § 2:1**
  - Qualified spousal trust, interest in property, **Part I § 456.950**
  - Transferability, **Part II § 2:3**
- Property or beneficial interests of beneficiary, creditor's reach, **Part I § 456.5-508**
- Protection, property, **Part I § 456.8-809**
- Prudent investors, **Part III § 469.900 et seq.**
- Prudent investors, terms and phrases, **Part III § 469.910**
- Prudent person standard, administration, **Part I § 456.8-804**
- Purpose, **Part I § 456.4-402, 456.4-404**
  - Charitable trusts, **Part I § 456.4-405**
  - Fraud, debtors and creditors, **Part I § 456.5-505**
  - Termination, **Part I § 456.4-410**
- Qualified spousal trust, **Part I § 456.950**
- Ratification, breach of trust, **Part I § 456.10-1009**
- Real estate, powers and duties, **Part I § 456.8-816**
- Receipts, principal and income, allocation, **Part III § 469.429**
- Receipts, principal and income, apportionment, **Part III § 469.423**
- Records and recordation, **Part I § 456.8-810**
  - Electronic transactions, **Part I § 456.11-1102**
  - Registration records, **Part I § 456.031**
- Registration, **Part I § 456.027 et seq.**
- Reimbursement, expenses and expenditures, **Part I § 456.7-709**

**TRUSTS AND TRUSTEES—Cont'd**

Release

Breach of trust, **Part I § 456.10-1008, 456.10-1009**

Termination, distribution, liability, **Part I § 456.8-817**

Reliance

Breach of trust, **Part I § 456.10-1006**

Certification of trust, **Part I § 456.10-1013**

Religious organizations and societies, **Part I § 456.4-405**

Remainders, principal and income, distributions, beneficiaries, **Part III § 469.413, 469.415**

Remedies, breach of trust, **Part I § 456.10-1001**

Removal, **Part I § 456.7-706, Part II § 2:13**

Reports

Beneficiaries, **Part I § 456.8-813**

Compromise and settlement, **Part I § 456.1-111**

Representation, **Part I § 456.3-301 et seq.**

Representatives, notice, **Part I § 456.3-301**

Reservation, rights of ownership, life insurance trusts, **Part I § 456.005**

Reserves, termination, distribution, **Part I § 456.8-817**

Resignation, **Part I § 456.7-705, Part II § 2:12**

Compromise and settlement, **Part I § 456.1-111**

Restitution, **Part I § 456.5-505, 456.10-1004**

Restrictions, transfers, **Part I § 456.025**

Resulting trusts, **Part I § 456.4-401**

Retirement and Pensions, this index

Retroactive application of MUTC (pre-2005 trusts), **Part I § 456.11-1106**

Revocable trusts, **Part I § 456.6-601 et seq.**

Claims, **Part I § 456.5-505**

Effect on validity, **Part I § 456.021**

Life insurance trusts, effect on trustee powers, **Part I § 456.005**

Revocation, **Part I § 456.4-410, 456.021**

Rule against perpetuities

Application of law, **Part I § 456.025**

Employees, benefit trust, term, **Part I § 456.011**

Self employed persons, benefit trust, term, **Part I § 456.011**

Rule against perpetuities, subject to, when, **Part I § 456.026**

Rules and regulations, prudent investors, **Part III § 469.900 et seq.**

Salaries. compensation and salaries, generally, above

Sales, **Part I § 456.8-816**

Conflict of interest, **Part I § 456.8-802**

Scope of law, **Part I § 456.1-102**

Secured transactions, principal and income, disbursements, **Part III § 469.453**

Securities, this index

Self dealing, prohibition, **Part I § 456.019**

Self employed, retirement plans

Accumulation of fund, **Part I § 456.013**

Application of law, **Part I § 456.013**

Perpetuities or suspension of alienation, **Part I § 456.011**

## INDEX

### TRUSTS AND TRUSTEES—Cont'd

- Self employed, retirement plans—Cont'd
  - Spendthrift trust, **Part I § 456.014**
- Separate property, **Part I § 456.8-810**
- Separation, personal property lease deposits, **Part I § 456.007**
- Settlor as beneficiary, **Part II § 2:18**
- Settlor as trustee, **Part II § 2:9**
- Severability clause, **Part I § 456.11-1103**
- Shares and shareholders. Corporations, this index
- Signatures
  - Certification of trust, **Part I § 456.10-1013**
  - Electronic signatures, **Part I § 456.11-1102**
- Small trusts, termination, **Part I § 456.4-414**
- Social services, **Part I § 456.4-405**
- Sole ownership, qualified spousal trust, **Part I § 456.950**
- Special fiduciaries
  - Appointments, **Part I § 456.7-704**
  - Conflict of interest, **Part I § 456.8-802**
  - Discretionary powers, distributions, **Part I § 456.8-814**
- Special skills, administration, **Part I § 456.8-806**
- Spendthrift trusts, **Part I § 456.5-501 et seq.**
  - Application of law, **Part I § 456.1-105**
  - Asset protection trusts, **Part I § 456.5-505**
  - Bankruptcy, **Part I § 456.014**
  - Fraudulent transfers, **Part I § 456.5-505**
  - Self-settled trusts, **Part I § 456.5-505**
- Split interest trusts, prohibited acts, **Part I § 456.019**
- Spouses, valuation of bequest or transfer, **Part I § 456.001**
- Standards
  - Administration, **Part I § 456.8-801 et seq.**
  - Cotrustees, **Part I § 456.7-703**
  - Discretionary powers, **Part I § 456.8-814**
  - Discretionary trusts, **Part I § 456.5-504**
  - Prudent investors, **Part III § 469.908**
  - Special skills, **Part I § 456.8-806**
- State, claims, spendthrift trusts, **Part I § 456.5-503**
- Statement of registration, **Part I § 456.029**
- Statute of uses, **Part I § 456.003**
- Stock Bonus Plan, this index
- Subdivisions, **Part I § 456.8-816**
- Successors
  - Generally, **Part I § 456.7-704**
- Support, this index
- Taxation
  - Powers and duties, **Part I § 456.8-816**
  - Principal and income, above
- Tenants by entirety, qualified spousal trust, **Part I § 456.950**

**TRUSTS AND TRUSTEES—Cont'd**

Termination

- Generally, **Part I § 456.4-410 et seq.**
- Animals, care, **Part I § 456.4-408**
- Application of law, **Part I § 456.1-105**
- Consent, **Part I § 456.4-411A, 456.4-411B**
- Cy pres, charitable trusts, **Part I § 456.4-413**
- Death, testator, **Part I § 456.021**
- Distribution, **Part I § 456.8-817**
- Insufficient funds, **Part I § 456.4-414**
- Irrevocable trusts, noncharitable, by consent
  - Applicability, **Part I § 456.4B-411**
  - Exceptions, **Part I § 456.4A-411**
- Powers and duties, **Part I § 456.8-816, 456.8-817**
- Principal and income, above
- Testamentary power, representatives, **Part I § 456.3-302**
- Third parties, liability, **Part I § 456.10-1012**
- Timber and lumber, principal and income, apportionment, **Part III § 469.427, 469.443**

Time

- Application of law, **Part I § 456.11-1104**
- Contests of trusts, **Part I § 456.6-604**
- Disputes, mediation or arbitration, **Part I § 456.2-205**
- Expiration, **Part I § 456.4-410**
- Limitation of actions, above
- Mandatory distributions, **Part I § 456.5-506**
- No-contest clause, petition for relief, **Part I § 456.4-420**
- Principal and income, above
- Unknown beneficiaries, **Part I § 456.4-409**
- Torts, liability, **Part I § 456.10-1010**

Transfers

- Nonprobate transfers, **Part III § 461.001**
- Property, creation, **Part I § 456.4-401**
- Restrictions, **Part I § 456.025**
- Rule against perpetuities, **Part I § 456.025**
- Spendthrift trusts, **Part I § 456.5-501 et seq.**
- Traveling expenses, reimbursement, **Part I § 456.7-709**
- Trust Code, **Part I § 456.3-302, 456.5-508**
- Trustee as beneficiary, **Part II § 2:19**
- Trustees' duties, prudent investors, **Part III § 469.902**
- Undue influence, **Part I § 456.4-406**
- Uneconomic trusts, termination, **Part I § 456.4-414**
- Uniform fiduciary law, **Part III § 469.240 et seq.**
- Uniform Prudent Management of Institutional Funds Act, generally, this index
- Unincorporated associations as beneficiaries, **Part II § 2:21**
- United States, claims, spendthrift trusts, **Part I § 456.5-503**
- Unjust enrichment, **Part I § 456.4-401**

## INDEX

### TRUSTS AND TRUSTEES—Cont'd

#### Unknown beneficiaries

Generally, **Part I § 456.4-409**

Representation, **Part I § 456.3-304, 456.3-305**

#### Vacancies, **Part I § 456.7-704**

#### Valid trust purpose requirement

Generally, **Part II § 1:17 et seq.**

Fraudulent trusts, **Part II § 1:20**

Illegal trusts, **Part II § 1:18, 1:21**

Impossible trusts, **Part II § 1:21**

Public policy, trusts against, **Part II § 1:19**

Void trusts, against public policy, **Part II § 1:19**

Valuation, bequest or transfer to spouse, **Part I § 456.001**

Venue, **Part I § 456.1-105, 456.2-204**

Virtual representation, **Part I § 456.3-301 et seq.**

#### Void

Generally, **Part I § 456.4-406**

Conflict of interest, **Part I § 456.8-802**

Release, breach of trust, **Part I § 456.10-1008**

#### Waiver

Leased property deposit provisions, **Part I § 456.009**

Notice, **Part I § 456.1-109**

Reports, beneficiaries, **Part I § 456.8-813**

Water rights, principal and income, apportionment, **Part III § 469.441**

Wife. husband and wife, generally, above

Wills. principal and income, generally, above

Written instruments, identification of trust in, **Part I § 456.021**

### UNBORN CHILDREN

After born children. Probate Proceedings, this index

### UNDUE INFLUENCE

Trusts and trustees, creation, **Part I § 456.4-406**

### UNIFORM LAWS

Fiduciaries law, **Part III § 469.240 et seq.**

Principle and income act, **Part III § 469.401 et seq.**

Prudent investor act, **Part III § 469.900 et seq.**

Trust code, **Part I § 456.1-101 et seq.**

Uniform Prudent Management of Institutional Funds Act, **Part III § 402.146**

### UNIFORM PRUDENT MANAGEMENT OF INSTITUTIONAL FUNDS ACT

Generally, **Part III § 402.130 et seq.**

Authorization, **Part III § 402.142**

Compliance, **Part III § 402.144**

Definitions, **Part III § 402.130**

Delegation of management and investment to external agent, liability, **Part III § 402.136**

Endowment funds, terms in a gift instrument, **Part III § 402.134**

Existing institutional funds, application to, **Part III § 402.140**

**UNIFORM PRUDENT MANAGEMENT OF INSTITUTIONAL FUNDS ACT**

**—Cont'd**

Gift instrument

Endowment funds, **Part III § 402.134**

Release or modification of restrictions, determination and notification, **Part III § 402.138**

Governing boards, status of, **Part III § 402.148**

Rules, institutional funds, **Part III § 402.132**

Uniformity of law, **Part III § 402.146**

**UNITED STATES**

Spendthrift trusts, claims, **Part I § 456.5-503**

**USES**

Statute of uses, **Part I § 456.003**

Trusts and Trustees, generally, this index

**VALUATION**

Property distributed to satisfy bequest or transfer, fair market value, **Part I § 456.001**

**VENDOR AND PURCHASER**

Deeds and Conveyances, generally, this index

**VENUE**

Trusts and trustees, **Part I § 456.1-105, 456.2-204**

**WARD**

Guardian and Ward, generally, this index

**WATER RIGHTS**

Trusts and trustees, principal and income, apportionment, **Part III § 469.441**

**WILLS**

Bequests to spouse, valuation, **Part I § 456.001**

Durable power of attorney, **Part III § 404.710**

Exemptions, nonprobate transfers, **Part III § 461.003 et seq.**

Power of attorney, durable power of attorney, **Part III § 404.710**

Principal and income. Trusts and Trustees, this index

Probate of wills. Probate Proceedings, generally, this index

Spouse, valuation of bequest, **Part I § 456.001**

**WITHDRAWALS**

Bank deposits and collections, **Part III § 461.001**

Powers of appointment, **Part I § 456.1110**

Trusts and trustees, **Part I § 456.1-103**

**WITNESSES**

Nonprobate transfers, beneficiary designation, **Part III § 461.062**

**WORDS AND PHRASES**

Accounting period, trusts and trustees, principal and income, **Part III § 469.401**

Actions, trusts and trustees, **Part I § 456.1-103**

## INDEX

### WORDS AND PHRASES—Cont'd

- Affidavit of incapacity, revocable trusts, **Part I § 456.6-603**
- Asset backed security, trusts and trustees, principal and income, **Part III § 469.449**
- Attorneys in fact, durable power of attorney, **Part III § 404.703**
- Banks, fiduciaries, **Part III § 469.240**
- Beneficiaries
  - Nonprobate transfers, **Part III § 461.005**
  - Trusts and trustees
    - Generally, **Part I § 456.1-103**
    - Principal and income, **Part III § 469.401**
- Beneficiary designation, nonprobate transfers, **Part III § 461.005**
- Charitable trusts, **Part I § 456.1-103**
- Child, spendthrift trusts, **Part I § 456.5-503**
- Conservators, trusts and trustees, **Part I § 456.1-103**
- Court, durable power of attorney, **Part III § 404.703**
- Creditor, probate proceedings, recovery of property, **Part III § 461.300**
- Current valuation year, unitrust amount, principal and income, **Part III § 469.411**
- Death of the owner, nonprobate transfers, **Part III § 461.005**
- Dependent child, probate proceedings, recovery of property, **Part III § 461.300**
- Depreciation, trusts and trustees, principal and income, transfers, **Part III § 469.455**
- Derivative, trusts and trustees, principal and income, **Part III § 469.447**
- Disabled or incapacitated, durable power of attorney, **Part III § 404.703**
- Durable power of attorney, **Part III § 404.703**
- Entity, trusts and trustees, principal and income, **Part III § 469.423**
- Environmental law, trusts and trustees, **Part I § 456.1-103**
- Fiduciary
  - Generally, **Part III § 469.240**
  - Principal and income, **Part III § 469.401**
- Guardians, trusts and trustees, **Part I § 456.1-103**
- In good faith, fiduciaries, **Part III § 469.240**
- In proper form, nonprobate transfers, **Part III § 461.005**
- Income, trusts and trustees, principal and income, **Part III § 469.401**
- Income beneficiary, trusts and trustees, principal and income, **Part III § 469.401**
- Income interest, trusts and trustees, principal and income, **Part III § 469.401**
- Interested persons, trusts and trustees, **Part I § 456.033**
  - Compromise and settlement, **Part I § 456.1-111**
- Interests of the beneficiaries, trusts and trustees, **Part I § 456.1-103**
- Internal affairs, trusts and trustees, **Part I § 456.033**
- Joint owners, nonprobate transfers, **Part III § 461.005**
- Jurisdiction, trusts and trustees, **Part I § 456.1-103**
- LDPS, nonprobate transfers, **Part III § 461.005**
- Legal representative, durable power of attorney, **Part III § 404.703**
- Liquidating assets, trusts and trustees, principal and income, **Part III § 469.439**
- Mandatory income interest, trusts and trustees, principal and income, **Part III § 469.401**

**WORDS AND PHRASES—Cont'd**

- Net income, trusts and trustees, principal and income, **Part III § 469.401**
- Nonprobate transfers, **Part III § 461.005**
- Owner, nonprobate transfers, **Part III § 461.005**
- Ownership in beneficiary form, nonprobate transfers, **Part III § 461.005**
- Pay on death to, nonprobate transfers, **Part III § 461.005**
- Payment, trusts and trustees, principal and income, retirement and pensions, **Part III § 469.437**
- Pecuniary bequest or transfer, wills or trusts, **Part I § 456.001**
- Person
  - Durable power of attorney, **Part III § 404.703**
  - Nonprobate transfers, **Part III § 461.005**
  - Trusts and trustees, **Part I § 456.1-103**
    - Principal and income, **Part III § 469.401**
  - Uniform fiduciaries, **Part III § 469.240**
- Personal representative, durable power of attorney, **Part III § 404.703**
- Plan, trusts and trustees, principal and income, retirement and pensions, **Part III § 469.437**
- Plan income, trusts and trustees, principal and income, retirement and pensions, **Part III § 469.437**
- POD, nonprobate transfers, **Part III § 461.005**
- Power of attorney, durable power of attorney, **Part III § 404.703**
- Power of withdrawal, trusts and trustees, **Part I § 456.1-103**
- Powers of appointment, **Part I § 456.975**
- Principal
  - Fiduciaries, **Part III § 469.240**
    - Trusts and trustees, principal and income, **Part III § 469.401**
  - Principal place of administration of a trust, registration, **Part I § 456.027**
  - Principals family, durable power of attorney, **Part III § 404.703**
  - Prior valuation year, unitrust amount, principal and income, **Part III § 469.411**
  - Professional fiduciary, registration of trusts, **Part I § 456.027**
  - Proof of death, nonprobate transfers, **Part III § 461.005**
- Property
  - Nonprobate transfers, **Part III § 461.005**
    - Trusts and trustees, **Part I § 456.1-103**
  - Qualified beneficiaries, trusts and trustees, **Part I § 456.1-103**
    - Principal and income, **Part III § 469.401**
  - Qualified claimant, probate proceedings, recovery of property, **Part III § 461.300**
  - Qualified spousal trust, **Part I § 456.950**
  - Recoverable transfer, probate proceedings, recovery of property, **Part III § 461.300**
  - Registration in beneficiary form, nonprobate transfers, **Part III § 461.005**
  - Relative of the owners former spouse, beneficiary designation, **Part III § 461.051**
  - Remainder beneficiary, trusts and trustees, principal and income, **Part III § 469.401**
  - Revocable, trusts and trustees, **Part I § 456.1-103**

## INDEX

### WORDS AND PHRASES—Cont'd

- Securities, nonprobate transfers, **Part III § 461.005**
- Settlors, trusts and trustees, **Part I § 456.1-103**
- Spendthrift provisions, trusts and trustees, **Part I § 456.1-103**
- State, trusts and trustees, **Part I § 456.1-103**
- Terms of a trust
  - Principal and income, **Part III § 469.401**
  - Trusts and trustees, **Part I § 456.1-103**
- Third person, durable power of attorney, **Part III § 404.703**
- TOD, nonprobate transfers, **Part III § 461.005**
- Transfer on death direction, nonprobate transfers, **Part III § 461.005**
- Transfer on death to, nonprobate transfers, **Part III § 461.005**
- Transferring entity, nonprobate transfers, **Part III § 461.005**
- Trust
  - Prudent investors, **Part III § 469.900**
  - Registration, **Part I § 456.027**
  - Rule against perpetuities, **Part I § 456.025**
- Trust instruments, **Part I § 456.1-103**
- Trustees
  - Generally, **Part I § 456.1-103**
  - Principal and income, **Part III § 469.401**
  - Prudent investors, **Part III § 469.900**
- Undistributed income, trusts and trustees, principal and income, **Part III § 469.421**
- Uniform Prudent Management of Institutional Funds Act, **Part III § 402.130**
- Unitrust amount, principal and income, **Part III § 469.401**

### WORK

- Labor and Employment generally, this index

### WORTHIER TITLE, DOCTRINE OF

- Abolishment of, **Part III § 469.600**

### WRITING

- Nonprobate transfers, beneficiary designations, **Part III § 461.062**

### WRITTEN INSTRUMENTS

- Deeds and Conveyances, generally, this index
- Nonprobate transfers, **Part III § 461.003 et seq.**