

---

---

# TABLE OF CONTENTS

---

---

<b>Part One: Introducing the Trustscape</b>	<b>1</b>
<b>Introduction</b>	<b>3</b>
Principles	3
<b>Chapter 1: Navigation Works Better When You Have a Destination in Mind</b>	<b>11</b>
Beyond the Thought Experiment	12
Questions for Reflection	13
<b>Chapter 2: The Trustscape</b>	<b>15</b>
Introducing Your Trustscape	16
A Dynamic Tableau	17
A Closing Exercise	17
<b>Chapter 3: Some Key Terms</b>	<b>19</b>
<b>Chapter 4: Know Your Narratives</b>	<b>21</b>
Depends Where You're Sitting	22
A Thirst for Education	23
<b>Assignment 1: Test Your Knowledge</b>	<b>25</b>
<b>Assignment 1: Solutions and Suggested Responses</b>	<b>27</b>
<b>Part Two: The Players</b>	<b>29</b>
<b>Chapter 5: The Trust</b>	<b>31</b>
A Short Description of a Long History	31
A Closing Exercise	33
<b>Chapter 6: The Trustee</b>	<b>37</b>
The Trustee	37
Choices	39
<b>Chapter 7: Beneficiaries and Trust Creators</b>	<b>43</b>
Beneficiaries	44
Trust Creators	47
<b>Chapter 8: The Trust Protector and the Trust Adviser</b>	<b>53</b>
Trust Advisers	53
Trust Protectors	54
Choices	55
<b>Assignment 2: Test Your Knowledge</b>	<b>57</b>
<b>Assignment 2: Solutions and Suggested Responses</b>	<b>61</b>
<b>Part Three: Building Great Relationships</b>	<b>65</b>

<b>Chapter 9: Considerations Prior to Accepting Appointment as Trustee</b>	<b>67</b>
So—You’ve Been Asked to Serve as Trustee	67
Now for Some Homework	68
If You Are New to the Trustscape	69
Understanding the Technical Side	69
Almost There	71
A Final Step	71
<b>Chapter 10: Creating Preambles</b>	<b>73</b>
Preambles and Purpose	73
“But My Trust Was Drafted 20 Years Ago!”	74
Themes and Schemes	75
Preambles Created by Trustees and Beneficiaries	76
Revisit the Preamble	76
As You Begin to Create Your Preamble	77
<b>Chapter 11: Action Steps Prior to the First Trustee-Beneficiary Meeting</b>	<b>79</b>
If You Are a Trustee	79
If You Are a Beneficiary	81
<b>Chapter 12: Positive Events, Supportive Responses</b>	<b>85</b>
Matching Mind-set to Task	85
Supportive Responses to Positive Events	87
Play to Your Strengths	88
<b>Chapter 13: Trustee-Beneficiary Meetings</b>	<b>91</b>
Premeeting Checklists	91
If This Is the First Meeting	92
A Sampling of Agenda Items	94
An “Appreciative” Exercise	95
<b>Chapter 14: Requests for Distribution</b>	<b>97</b>
“This Worked because I Knew Susan...”	98
The Request Process	99
Analysis of a Request	100
About Enhancement	102
<b>Chapter 15: Working with Addictions</b>	<b>105</b>
<b>Chapter 16: Trusts and Marriage</b>	<b>111</b>
Prenuptials	111
Within Marriage	113
Second Marriages and Beyond	115
<b>Chapter 17: Transitions</b>	<b>117</b>
Solomon’s Ring	117
This Too Shall Pass	117
Changing the Trust	118

Changing the Players	119
Coming to an End	120
<b>Assignment 3: Test Your Knowledge</b>	<b>123</b>
<b>Assignment 3: Solutions and Suggested Responses</b>	<b>129</b>
<b>Part Four: A Comprehensive Model for a Humane Trustscape</b>	<b>137</b>
<b>Chapter 18: A Promise and a Challenge for Trust Creators</b>	<b>139</b>
A Trust Creator's Challenge	139
First, an Exercise for Trust Creators	140
<b>Chapter 19: The Highest Duty of the Trustee and the Corresponding Responsibility of the Beneficiary</b>	<b>143</b>
I Wrote These Great Docs, but My Clients Won't Sign...	144
The Highest Duty of the Trustee and the Corresponding Responsibility of the Beneficiary	144
Support for the Trustee	146
Support for the Beneficiary	147
<b>Chapter 20: The Distribution Committee and the Office of the Beneficiary</b>	<b>149</b>
Distribution Committee	149
The Office of the Beneficiary	151
Conclusion	154
<b>Chapter 21: The Trustee and the Trust Protector Revisited</b>	<b>157</b>
Which Cap's on Top?	158
A Different Approach	158
Reconsidering the Institutional Trustee	160
<b>Assignment 4: Test Your Knowledge</b>	<b>163</b>
<b>Assignment 4: Solutions and Suggested Responses</b>	<b>167</b>
<b>Appendices</b>	<b>171</b>
<b>Appendix 1: Sample Legacy Letter</b>	<b>173</b>
Letter to Trustees	173
<b>Appendix 2: Sample Language Regarding Addiction</b>	<b>179</b>
<b>Appendix 3: The Distribution Committee</b>	<b>187</b>
The Core Concept	187
Committee Members	188
Drafting Points	188
<b>Appendix 4: Private Trust Companies</b>	<b>191</b>
Definitions	191
PTCs versus Individual Trustees	191
Governance	192
Best Practices	193

<b>Appendix 5: Family Trust Review</b>	<b>197</b>
Purpose	197
Content	197
Process	197
Why Commission a Family Trust Review?	197
Opportunities for Commissioning a Family Trust Review	198
<b>Appendix 6: Reflections on the Often Unexpected Consequences of the Creation of a Perpetual Trust</b>	<b>201</b>
<b>Assignment 5: Test Your Knowledge</b>	<b>211</b>
<b>Assignment 5: Solutions and Suggested Responses</b>	<b>213</b>
<b>Glossary</b>	<b>215</b>
<b>Index</b>	<b>217</b>
<b>Final Exam Copy</b>	<b>219</b>