

Credit Shelter Trust and Marital Trust

- Credit Shelter Trust is funded with assets up to available annual exclusion amount at death
- Assets not subject to federal estate tax at time of funding nor at spouse's passing.
- Provides benefits to spouse or others per trust terms.
- Trust available to US citizens (non-citizens have other tools).
- Marital Trust is funded with all remaining assets qualifies for unlimited marital deduction if:
 - Surviving spouse receives all income from the trust;
 - Income is distributed at least annually;
 - Invasion of trust principal is for the benefit of the surviving spouse.
- In lieu of leaving assets outright, asset protection is gained by restricting trust principal invasion to defined standard.
- **Surviving spouse controls ultimate distribution.**

