

# Choosing the Correct Jurisdiction: *An Objective Comparison*

	South Dakota	Illinois
Dynasty Trusts	<b>Yes</b> <i>Ranked as #1<sup>[1]</sup></i>	<b>Yes</b> <i>Ranked as #10<sup>[1]</sup></i>
State Income Taxation	<b>No</b>	<b>Yes</b> 4.9 %
Community Property Trusts	<b>Yes<sup>[3]</sup></b>	<b>No</b>
Domestic Asset Protection Statute	<b>Yes<sup>[4]</sup></b> <i>2 year statute of limitations Exception for child support</i>	<b>No Domestic Asset Protection Statute</b>
Trust Protector	<b>Yes</b>	<b>Yes</b>
Directed Trusts	<b>Yes</b>	<b>Yes</b>
Decanting Statute	<b>Yes</b> <i>Ranked as #1<sup>[5]</sup></i>	<b>Yes</b> <i>Ranked as #8<sup>[5]</sup></i>
Trust Privacy Provision	<b>Yes - Total Privacy Seal Forever</b> <i>Automatically attaches and comprehensive quiet trust provisions.</i>	<b>No Privacy Provisions</b> <i>Trust documents, provisions, and amendments are open to the public; limited quiet trust provisions.</i>
Special Purpose Entity	<b>Yes<sup>[2]</sup></b> <i>Codified by statute</i>	<b>No</b>
Family Advisor	<b>Yes</b>	<b>No</b>
State Fiscal Health	<b>Ranked as #1<sup>[6]</sup></b>	<b>Ranked as #50<sup>[6]</sup></b>

\* Denotes superior distinction among jurisdictions.

<sup>[1]</sup> Attorney Steve Oshins' "8<sup>th</sup> Annual Dynasty Trust State Rankings Chart"

<sup>[2]</sup> Worthington, Daniel G.; Merric, Mark; Sullivan, John E.; and Thomas, Ryan "Which Situs is Best in 2020?" *Trusts & Estates* January 2020

<sup>[3]</sup> South Dakota Special Spousal Trusts, House Bill 1039 (2016) (Sections 29-42)

<sup>[4]</sup> Attorney Steve Oshins' "10<sup>th</sup> Annual Domestic Asset Protection Trust State Rankings Chart"

<sup>[5]</sup> Attorney Steve Oshins' "7<sup>th</sup> Annual Trust Decanting State Rankings Chart"

<sup>[6]</sup> Murphy, Mary; Iyengar, Akshay; and Zhang, Alexandria "Tax Revenue Volatility Varies Across States, Revenue Streams" *PEW* August 2018