

A Trust needs a Trustee, and you need to decide who that is. The choice of a Trustee usually comes down to a choice of selecting a Corporate Trustee or selecting your close and trusted sibling or friend. A Corporate Trustee, as opposed to an individual Trustee, is usually a department of a bank, a wealth management company, or a Trust company. Without giving any time to the comparison of one type of Trustee over the other, here are the practical advantages of choosing a Corporate Trustee:

- 1. Experience and Professionalism.** A Corporate Trust department will have a long history of administering Trusts and managing Trusts assets. This almost always makes them more efficient at handling Trusts. They will be extremely familiar with the rules governing Trusts, ensuring your assets are protected and not carelessly jeopardized by poor decision-making.
- 2. Neutral and Unbiased.** An often understated advantage is that you can expect a Corporate Trustee to behave in an objective and unbiased manner when administering Trusts. As dictated by professional requirements, a Corporate Trustee will be sure to follow the instructions of your Trust and will not allow its decision-making to be influenced by family dynamics or emotional ties.
- 3. Continuity.** You can rely on a Corporate Trust department to be around in the future. A Corporate Trustee will also be familiar with the history of your Trust since there will not be Trustee turn-over, whereas with individual Trustees, when one resigns or is unable to serve any longer, the successor Trustee needs to bring himself up to speed and pick up where the last Trustee left off.
- 4. Alleviate Pressure and Conflict.** There are significant obligations when serving as a Trustee. There are also serious liabilities for mistakes. Consequently, you may not be doing your friend or sibling a favor if you select them as Trustee. Serving as Trustee can be a burden and leave a loved one open to lawsuits. The decisions an individual Trustee makes regarding the Trust can also bleed over into his or her life outside of the role of Trustee, especially if the choices made affect other family members. A beneficiary will likely not be able to differentiate a person's role as a Trustee from their role as a family member. A Corporate Trustee, on the other hand, does not operate under the pressure of family relationships and does not have to be concerned with the decisions he or she makes affecting his or her private life.

There are fees involved when choosing a Corporate Trustee, but the fees may be worth their value if they offset some of the points above. To determine if a Corporate Trustee is right for your estate plan or for more information on Corporate Trustee options, please contact Goosmann Trust Law Counsel.

