

**Direction not to inform or account to beneficiaries**

Under Alaska Statutes 13.36.080 the trustee is required to inform all beneficiaries, in writing, within 30 days after acceptance of the trust, of the existence of the trust and provide certain information if requested. Note: Alaska Trust Company (ATC) has interpreted this statute to apply only to beneficiaries who are receiving distributions. ATC will only notify the beneficiaries who receive distributions, unless directed otherwise, by the Grantor, State regulatory examiners or the Courts. Therefore we recommend that the trust agreement state that the trustee is not to notify beneficiaries. The language below may be considered:

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Notwithstanding the provisions of AS 13.36.080, or any other provision of Alaska law, during the lifetime of the Settlor, the Trustee shall not inform any beneficiary of this trust (other than the Settlor) of the court in which the trust is registered of the Trustee's name and address. In addition, during the lifetime of the Settlor the Trustee shall not provide any beneficiary with a copy of the terms of the trust and shall not provide a statement of the accounts of the trust; unless the beneficiary is receiving or has received a distribution. The Trustee and the Trustee's officer, agents, and employees shall be indemnified out of and held harmless by the trust estate from any and all liability to any beneficiary for any loss of any kind that may result by reason of any action or non-action taken by the Trustee and the Trustee's officers, agents, and employees in accordance with the directions in this paragraph\_\_\_\_\_.