

Under Alaska Statutes (AS) 34.40.110, interests of the beneficiaries in an Alaska trust may be made free of claims of creditors if among other conditions the transfer to the trust is not in fraud of creditors and trust contains certain language.

The provision below is offered as an example of language which may provide spendthrift trust protection:

Spendthrift Provision

The interest of a beneficiary (including the Grantor) of any trust hereunder may not be either voluntarily or involuntarily transferred before the payment or delivery of the interest to the beneficiary by the Trustee, within the meaning of AS 34.40.110(a). No beneficial interest in any trust created hereunder, whether in income or in principal, shall be subject to anticipation, assignment, pledge, sale, or transfer in any manner, and no beneficiary of any such trust or other person interested therein shall have the power to anticipate, encumber, or charge his or her interest therein, and not trust estate created hereunder shall be liable for or subject to the debts, contracts, obligations, liabilities, or torts of any beneficiary of any such trust or other person as preventing any beneficiary from making a qualified disclaimer within the meaning of section 2518 of the Internal Revenue Code of 1986. As amended, with respect tot interests herein.