



South Dakota Trusts

BTC Trust Company of South Dakota



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South Dakota, A Sought After Jurisdiction

- In an era when the economy is tentative, the financial services industry is challenged and the laws regarding trusts and taxes are uncertain, the best advice you can give your clients is to keep their options flexible.
- South Dakota's trust laws offer your clients the greatest overall flexibility and choice of administrative options in the country.



Why South Dakota Trusts?

- South Dakota is one of the most sought after and attractive jurisdictions for trust administration.
 - No state level income or capital gains tax
 - Grantors determine how long their trusts will last
 - Asset protection planning
 - Modern trust laws provide great flexibility
 - Rated “Best Trust Jurisdiction” in the U.S. by *Trust & Estates* magazine; 2007, 2010, 2012, 2014¹

1. See Daniel G. Worthington and Mark Merric, “Which Trust Situs is Best in 2014?” *Trust & Estates* (January 2014) at p. 53; Daniel G. Worthington and Mark Merric, “Which Situs is Best in 2012?” *Trust & Estates* (January 2012) at p. 51; Daniel G. Worthington and Mark Merric, “Which Situs is Best?” *Trust & Estates* (January 2010) at p. 54; Daniel G. Worthington, “Latest Perpetual Trust States – Latest Rankings” *Trust & Estates* (January 2007) at p. 59

Multi-Generational Trust Planning

- South Dakota has no “Rule Against Perpetuities.”

This allows the creator of a trust to determine how long their trust should last. The result is efficient administration of trust assets over many generations as well as the possibility of minimizing or avoiding Federal estate taxes.

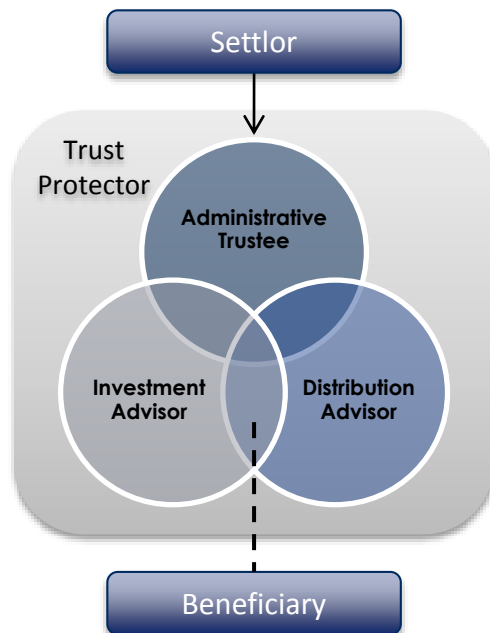
Asset Protection Planning

- Clients will be attracted to trusts that provide the comfort of knowing that their hard won assets cannot be reached by future creditors.
- South Dakota was the first state in the U.S. with a discretionary trust statute for asset protection.
- A properly drafted South Dakota trust can provide protection of trust assets from future claims of many types of creditors while still providing the settlor with lifetime benefits.
- South Dakota's asset protection trust statute is considered to be among the best in the nation.¹

1. http://www.oshins.com/images/DAPT_Rankings.pdf

Modern Trust Laws

- South Dakota's trust statutes provide great flexibility in both planning and administration.



- Directed trust statutes allow grantors and beneficiaries to continue utilizing trusted investment and other professional advisors within a South Dakota trust
- Great flexibility in modifying the terms of existing trusts or “decanting” existing trusts into new trusts with provisions that match the current needs of beneficiaries
- Grantor designates a trusted party to control distributions to trust beneficiaries
- Grantor may designate a Trust Protector to exercise a wide variety of responsibilities

Why BTC Trust Company of South Dakota?

- When you work with us, **you continue to own the client relationship**. Our role is to **support** advisors with our administrative trust services. Your client continues to **maintain their professional relationship with your firm**. Unlike traditional banks and trust companies, we work exclusively with and through the client's professional advisors.
- This approach, coupled with our administrative trustee services, offers your clients a unique environment that **promotes relationship continuity** and advantageous trust opportunities, making **BTC SD** the trust company of choice for you and your clients.
- You have the opportunity to provide your clients with the most **flexible** and **innovative** trust and tax laws in the country.
- You now have a strategy to **maintain clients** through multiple generations.
- You gain a **competitive edge**, a way to differentiate yourself in the marketplace.
- We have a **vested interest** in **your** success.

Who Are We?

- BTC Trust Company of South Dakota was established in 1999 and is the oldest state chartered public trust company in Sioux Falls.
- Over \$2.6 Billion in assets under administration.
- Wholly owned subsidiary of Bankers Trust of Des Moines, Iowa.
 - Over \$240 Million in equity capital
 - Risk-based capital ratio exceeds regulatory target for “well capitalized” banks

https://www.bankerstrust.com/SiteCollectionDocuments/Annual_Reports/annualreport_2016.pdf

BTC Trust Company of South Dakota

- Experienced and tenured administrative staff located in Sioux Falls with lengthy experience administering the unique attributes of South Dakota trusts.
- Staff with experience in technical planning with expertise in the unique trust laws of South Dakota.
- Reasonable and competitive fees.

Contact Information

- For more information on South Dakota Trusts and how BTC Trust Company of South Dakota can benefit you, contact us by calling:(605) 338-5033 or via e-mail at:



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