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ASSET PROTECTION ATTORNEYS

Are Domestic Asset Protection Trusts (DAPTs) more protective than other types of trusts?



Alaska, Delaware and a few other domestic asset protection trust (DAPT) jurisdictions encourage the formation of trusts in their states. These DAPT jurisdictions promise added estate planning and asset protection benefits. It is a good idea to explore the estate tax advantages of these DAPTs – particularly if their state has an inheritance tax. DAPTs are primarily promoted as alternatives to the international trust.

Undoubtedly, some Americans are more comfortable with a U.S.-based trust rather than an international trust. This appears to be the DAPT's chief selling point.

DAPTs offer certain estate planning advantages but DAPTs aren't, in our opinion, always sufficiently protective. For example, DAPTs won't necessarily protect you against present creditors. And DAPTs are far less protective than international trusts because an international trustee won't enforce U.S. judgments or court orders. [\[cont...\]](#)

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June 14, 2016

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