



*For you. For them. For generations to come.*

Rank	State	State Income Tax (10% Weight)	Statute of Limitations (Future Creditor) (5% Weight)	Statute of Limitations (Preexisting Creditor) (5% Weight)	Spouse/ Child Support Exception Creditors (Spouse 3% Weight/ Alimony 1% Weight/ Child Support 1% Weight)	Preexisting Torts Exception Creditors/ Other Exception Creditors (5% Weight)	Ease of Use - Is a New Affidavit of Solvency Required for Every New Transfer? (7.5% Weight)	Fraudulent Transfer Standard (7.5% Weight)	Decanting State Ranking (5% Weight)	Total Score*
<b>1</b>	<b>NV</b>	<b>No</b>	<b>2 Yrs.</b>	<b>2 Yrs. or 0.5 Yr. Discovery</b>	<b>No</b>	<b>No</b>	<b>No Affidavit Required</b>	<b>Clear and convincing</b>	<b>Ranked #2</b>	<b>99</b>
2	SD	No	2 Yrs.	2 Yrs. or 0.5 Yr. Discovery	Divorcing Spouse; Alimony (only if indebted at time of transfer)	No	No Affidavit Required	Clear and convincing	Ranked #1	98
3	TN	No (except dividends/ interest on residents)	2 Yrs.	2 Yrs. or 0.5 Yr. Discovery	Divorcing Spouse; Alimony; Child Support	No	Affidavit Required	Clear and convincing	Ranked #3	86.5
4	OH	No (except residents)	1.5 Yrs.	1.5 Yrs. or 0.5 Yr. Discovery	Divorcing Spouse; Alimony; Child Support	No	Affidavit Required (With Exceptions)	Clear and convincing	Ranked #6	86
5	MI	No (except residents)	2 Yrs.	2 Yrs. or 1 Yr Discovery	Divorcing Spouse	No	Affidavit Required (With Exceptions)	Clear and convincing	Ranked #20 (tie)	85
6	MO	No (except Missouri source income)	4 Yrs.	4 Yrs. or 1 Yr. Discovery	Alimony; Child Support	State/U.S. to extent state/federal law provides	No Affidavit Required	Clear and convincing	Ranked #10 (tie)	80
7	DE	No (except residents)	4 Yrs.	4 Yrs. or 1 Yr. Discovery	Divorcing Spouse; Alimony; Child Support	Preexisting Torts	No Affidavit Required	Clear and convincing	Ranked #5	79.5
8	AK	No	4 Yrs.	4 Yrs. or 1 Yr. Discovery	Divorcing Spouse	No	Affidavit Required	Clear and convincing	Ranked #7 (tie)	77
9	RI	No	4 Yrs.	4 Yrs. or 1 Yr. Discovery	Divorcing Spouse; Alimony; Child Support	Preexisting Torts	No Affidavit Required	Clear and convincing	Ranked #19	76.5
10	WY	No	4 Yrs.	4 Yrs. or 1 Yr. Discovery	Child Support	Property Listed on app. to obtain credit - but only as to that lender	Affidavit Required	Clear and convincing	Ranked #10 (tie)	74.5
11	NH	No (except dividends/ interest on residents)	4 Yrs.	4 Yrs. or 1 Yr. Discovery	Divorcing Spouse; Alimony; Child Support	Preexisting Torts	No Affidavit Required	Limited clear and convincing evidence standard	Ranked #4	73.5
12	HI	No (except residents)	2 Yrs.	2 Yrs. Pers. Injury; 6 Yrs. Contract	Divorcing Spouse; Alimony; Child Support	Preexisting Torts/ Certain Lenders/ Hawaii Tax	No Affidavit Required	Limited clear and convincing evidence standard	None	70
13 (Tie)	MS	Yes	2 Yrs.	2 Yrs. Pers. Injury; 0.5 Yrs. Contract	Divorcing Spouse; Alimony; Child Support	Preexisting Torts, State/ Criminal Restitution/ Up to \$1.5MM if no \$1MM Umbrella Policy	Affidavit Required	Clear and convincing	None	67.5
13 (Tie)	UT	Yes	None	2 Yrs. or 1 Yr. Discovery (also 120-day mailing/ publication option)	No	No	Affidavit Required	Missing clear and convincing	None	67.5
NR <sup>4</sup>	OK	No (except residents)	4 Yrs.	4 Yrs. or 1 Yr. Discovery	Child Support	Must be majority Oklahoma assets	No Affidavit Required	Clear and convincing	None	NR
NR <sup>4</sup>	VA	Yes	None	5 Yrs.	Child Support	Creditor who has provided services to protect trust/ U.S./city, etc.	No Affidavit Required	Clear and convincing	Ranked #14	NR
NR <sup>4</sup>	WV	No (except residents)	None	4 Yrs.	No	No	Affidavit Required	Missing clear and convincing evidence standard	None	NR



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## Benefits of a Nevada Asset Protection Trust

- ✓ No state income tax on trust accumulated income that is not distributed, depending on Trust type.
- ✓ No state capital gains tax on trust capital gains, depending on Trust type.
- ✓ No state estate tax for Nevada residents.
- ✓ One of the preferred states for Asset Protection Trusts, which are set up to avoid creditor claims against the grantor.
- ✓ One of the leading states for Dynasty Trusts due to 365-year statutory life coupled with other benefits named herein.
- ✓ No corporate income tax and no franchise tax.
- ✓ We believe Nevada has excellent privacy laws.

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### Important Disclosures:

\*Total score was calculated by giving the remaining 50% weight to the states statute.

<sup>1</sup>Utah's law is great for Utah residents, but is ranked low primarily because of its state income tax uncertainty for non-residents.

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<sup>2</sup>Dunham Trust Company is a privately held trust company founded in August 1999. It is licensed and regulated by the State of Nevada, Department of Business and Industry, Financial Institutions Division.

<sup>3</sup>Steve Oshins is a member of the Law Offices of Oshins & Associates, LLC in Las Vegas, Nevada. He is rated AV by the Martindale-Hubbell Law Directory and is listed in The Best Lawyers in America®. He was inducted into the NAEPC Estate Planning Hall of Fame® in 2011 and has also been named one of the Top 100 Attorneys in Worth.

<sup>4</sup>"NR" = Not Ranked. The states that received an NR have issues that are not appropriately weighted under the methodology used and are bottom tier states.

Source: Steve Oshins of the Law Offices of Oshins & Associates, LLC as of May 2017.

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