INVESTOPEDIA LINK TO BENEFICARY DESIGANTIONS EXPLANATION

Beneficiary Summary

Keep your beneficiaries up to date to ensure your assets end up in the right hands.

Edit your beneficiaries for these accounts

401(k) Account Jane Marie Doe
Account Number: 12345678

PRIMARY

Name	**John David Doe**
Relationship	**Spouse**
Percentage Assigned	100%
Date of Birth	**July 07, 1968**
SSN	**2468-57-2341 John David Doe's SSN Number**
Per Stirpes	No

CONTINGENT

Name	**DOE FAMILY TRUST DATED 01 APRIL 2026**
Relationship	**Revocable Living Trust**
Percentage Assigned	**100%**
SSN	**987-65--4321 Jane Marie Doe's SSN Number**
Per Stirpes	**No**

(Per Stirpes means by Representation which gives what would have gone to an adult child to the then living chldren of your adult child (your grandchildren) if your adult child predeceases you.

Certification of Trust

Doe Family

Revocable Living Trust

Dated 01 April 2026

We, Jane Marie Doe (Date of Birth: S1BDay) (John's Spouse) & John David Doe (Date of Birth: S2BDay) (Jane's Spouse), Grantors/Settlors/Trustors/Trustees, declare this *Certification of Trust* pursuant to RCW 11.98.075, *(1) Instead of furnishing a copy of the Trust Instrument to a person other than a Beneficiary, the Trustee may furnish to the person a Certification of Trust containing the following information:*

The hyperlinks are there if you want a definition or more information, but don't need to be used for effectiveness.

(a) That the Trust exists and the date the Trust Instrument was executed;

Doe Family Revocable Living Trust Dated 01 April 2026

- Amended & Restated April 27, 2026, exists and was executed on 01 April 2026;

An Amendment and Restatement is a Trust complete in and of itself; and permits future changes preserving the original signing date without keeping the first Trust.

Abbreviated: **Doe Family Trust Dated 01 April 2026** – The abbreviated name may be used to open a bank account, to name on a Beneficiary Designation, and to record a Transfer on Death Deed.

(b) The identity of the Grantor/Settlor/Trustor/Trustee;
Jane Marie Doe (Date of Birth: S1BDay) (John's Spouse)
John David Doe (Date of Birth: S2BDay) (Jane's Spouse)

(c) The identity of the currently acting Trustee at Counsel's Address;
Jane Marie Doe
John David Doe

(d) Relevant powers of the Trustee;

The Successor Trustee shall have all of the Powers originally given to Jane Marie Doe & John David Doe pursuant to RCW § 11.98.060 and RCW § 11.98.070 without any restrictions in dealing with Trust Assets as the Grantors/Settlors/Trustors/Trustees, Jane Marie Doe & John David Doe, have directed.

(e) The Revocability or Irrevocability of the Trust and the identity of any person holding a power to revoke the Trust;

The Trust is Revocable by Jane Marie Doe (Date of Birth: S1BDay) (John's Spouse) &
John David Doe (Date of Birth: S2BDay) (Jane's Spouse).

(f) The authority of Co– Trustees to sign or otherwise authenticate and whether all or less than all are required in order to exercise powers of the Trustee; and There are no Co–Trustees.

(g) The name of the Trust or the titling of the Trust property;

Jane Marie Doe & John David Doe, Grantors/Settlors/Trustors/Trustees/Trustees of the
Doe Family Revocable Living Trust Dated 01 April 2026.

Prepared by Christopher S. Mulvaney
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DRAFT TO BE SIGNED & NOTARIZED IN ZOOM VIA DOCUSIGN

Jane's & John's
Revocable Living Trust Successor Trustees

The Successor Trustees of the Doe Family Revocable Living Trust Dated 01 April 2026 shall be:

Child One (Date of Birth: C1Bday) (Jane's & John's Son/Daughter) and

Child Two (Date of Birth: C2Bday) (Jane's & John's Daughter/Son) and

Child Three (Date of Birth: C3Bday) (Jane's & John's Son or Daughter) and

Child Four (Date of Birth: C4Bday) (Jane's & John's Daughter or Son) Jointly, and then

Trustee Three (Date of Birth: T3Bday) (Jane's Sister/Brother) and then

Trustee Six (Date of Birth: T6Bday) (John's Sister/Brother) in that order.

Adult Children cannot be Successor Trustees unless at least age twenty five (25).

(2) A Certification of Trust may be signed or otherwise authenticated by any Trustee or by an attorney for the Trust.

DocuSigned by:
Jane Marie Doe
A6E4A42844E6464

DocuSigned by:
John David Doe
A6E4A42844E6464

Electronically Signed in DocuSign via ZOOM by:

Jane Marie Doe & John David Doe

Pursuant to Senate Bill 5641 & RCW § 45.280, in Bellevue, WA, I, Christopher S. Mulvaney, Notary Public in the State of Washington, certify that I have satisfactory evidence that Jane Marie Doe (Date of Birth: S1BDay) & John David Doe (Date of Birth: S2BDay) are the persons who appeared before me on **April 27, 2026**, signed, and attested this Instrument; and acknowledged it to be a free and voluntary act for the uses and purposes mentioned in this Instrument.

Notarial act performed by audio–visual communication in Zoom/DocuSign WAC 308–30–310.
Given under Christopher S. Mulvaney's Hand and Seal of Office
Notary Public residing in Bellevue, WA   My Commission Expires: 09 – 01 – 2028

State of Washington   County of King

DocuSigned by:
Christopher S. Mulvaney
A6E4A42844E6464

CHRISTOPHER S. MULVANEY
Notary Public
State of Washington
Commission # 20105562
Commission Expires 9/1/2028

Christopher S. Mulvaney Signature   Remote Online Electronic Notary Stamp

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(3) A Certification of Trust must state that the Trust has not been revoked, modified, or amended in any manner that would cause the representations contained in the Certification of Trust to be incorrect.

The Doe Family Revocable Living Trust Dated 01 April 2026, has not been revoked, modified, or amended in any manner that would cause the representations contained in the *Certification of Trust* to be incorrect.

(4) A Certification of Trust need not contain the Dispositive terms of a Trust.

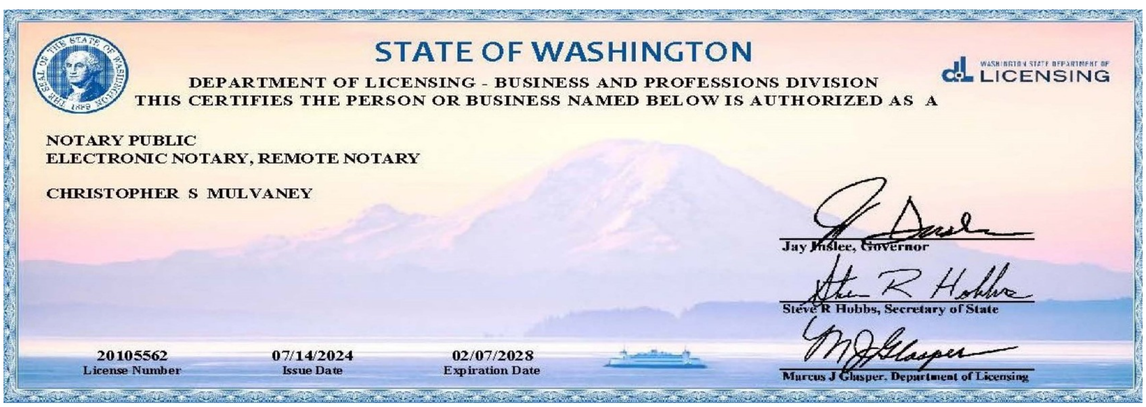
(5) A recipient of a Certification of Trust may require the Trustee to furnish copies of those excerpts from the original Trust Instrument and later Amendments which designate the Trustee and confer upon the Trustee the power to act in the pending transaction or any other reasonable information.

(6) A person who acts in reliance upon a Certification of Trust without knowledge that the representations contained therein are incorrect is not liable to any person for so acting and may assume without inquiry the existence of the facts contained in the Certification. Knowledge of the terms of the Trust may not be inferred solely from the fact that a copy of all or part of the Trust Instrument is held by the person relying upon the Certification.

(7) A person who in good faith enters into a transaction in reliance upon a Certification of Trust may enforce the transaction against the Trust property as if the representations contained in the Certification were correct.

(8) ◀ **Warning** ▶ *A person making a demand for the Trust Instrument in addition to a Certification of Trust or excerpts is liable for damages, including reasonable attorney fees, if the Court determines that the person did not act in good faith in demanding the Trust Instrument.*

(9) This section does not limit the right of a person to obtain a copy of the Trust Instrument in a Judicial Proceeding concerning the Trust.



CHRISTOPHER S. MULVANEY
Notary Public
State of Washington
Commission # 20105562
Commission Expires 9/1/2028

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Doe Family
Revocable Living Trust
Dated 01 April 2026

We, Jane Marie Doe (Date of Birth: S1BDay) (John's Spouse) & John David Doe (Date of Birth: S2BDay) (Jane's Spouse), Grantors/Settlors/Trustors/Trustees, pursuant to RCW (Revised Code of Washington) Title 11 generally, 11 § 11.98.008 specifically, which is Incorporated by Reference into this Document, made, executed, and declared a Revocable Living Trust (RLT) titled the Doe Family Revocable Living Trust Dated 01 April 2026 - **Amended & Restated April 27, 2026** (the "Trust").

Abbreviated: **Doe Family Trust Dated 01 April 2026**

This Trust is a wholly Discretionary Trust. The Successor Trustee shall have the sole and absolute discretion over distribution of principal and interest so that creditors shall have no claim against gifts to Beneficiaries. A Successor Trustee who is also a Beneficiary shall have the right to renounce appointment as Successor Trustee to avoid the Doctrine of Merger and avoid creditor claims.

Explicit Purpose Statement: The Trust's purpose is to support the Beneficiary's health, education, maintenance, and support (HEMS) without enabling self-destructive behavior. The Trust is intended to be a supportive resource, not a penalty. The Trust purpose is to provide for the Beneficiary's well-being in the Beneficiary's accustomed manner of living if reasonably comfortable, if not then to make it so, and encourage the pursuit and completion of higher education or vocational training without the immediate pressure of employment for living expenses.

Direct Payments to Third Parties: The Successor Trustee is Authorized to pay expenses (and debts if appropriate) directly to third-party providers (e.g., landlords, treatment centers, universities, grocers) rather than giving cash to the Beneficiary.

We Revoke all prior Washington State Community Revocable Living Trusts we may have Signed except the Doe Family Revocable Living Trust Dated 01 April 2026. Our Successor Trustee shall have a Power of Appointment to name another Successor Trustee as necessary to carry out our wishes if no other Successor Trustee is named.

An Amendment and Restatement is a Trust complete in and of itself; and permits future changes preserving the original signing date without keeping the first Trust. For more information: See MULVANEY LAW OFFICES, PLLC Website. This Grantor Trust, and governed by IRS Code §§ 671 678, is Executed in, Governed by the Laws of, and the Situs is, the State of Washington pursuant to RCW § 11.98.005. The Trust is immediately effective in every State once Signed. A U.S. Revocable Living Trust may not control assets held in foreign countries.

◀ **Warning** ▶ You both have to show that you know three requirements to validly execute a Trust:

(1) whether you are married; We, Jane Marie Doe (Date of Birth: S1BDay) (John's Spouse) & John David Doe (Date of Birth: S2BDay) (Jane's Spouse) are **Married** as of the Date of Signing.

(2) how many children you have; We have the following living children: **None**
Child One (Date of Birth: C1Bday) (Jane's & John's Son/Daughter)
Child Two (Date of Birth: C2Bday) (Jane's & John's Daughter/Son)
Child Three (Date of Birth: C3Bday) (Jane's & John's Son or Daughter)
Child Four (Date of Birth: C4Bday) (Jane's & John's Daughter or Son)
We have no deceased children or descendants of deceased children.

(3) the nature and extent of our property; Complete and keep the Inventory Spreadsheet.

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Jane's & John's
Revocable Living Trust Successor Trustees

We, Grantors/Settlors/Trustors/Trustees, Jane Marie Doe (Date of Birth: S1BDay) (John's Spouse) & John David Doe (Date of Birth: S2BDay) (Jane's Spouse), may (Either Co-Trustee is specifically authorized to act separately and independently such that only one signature required) at any time after signing, become unwilling or unable to serve as Trustee of the Doe Family Revocable Living Trust Dated 01 April 2026, whether by Death or otherwise, in which case the Successor Trustee shall be:

Child One (Date of Birth: C1Bday) (Jane's & John's Son/Daughter) and

Child Two (Date of Birth: C2Bday) (Jane's & John's Daughter/Son) and

Child Three (Date of Birth: C3Bday) (Jane's & John's Son or Daughter) and

Child Four (Date of Birth: C4Bday) (Jane's & John's Daughter or Son) Jointly, and then

Trustee Three (Date of Birth: T3Bday) (Jane's Sister/Brother) and then

Trustee Six (Date of Birth: T6Bday) (John's Sister/Brother) in that order.

Adult Children cannot be Successor Trustee unless at least age twenty five (25).

Trustees manage distributions using the **HEALTH**, **EDUCATION**, **MAINTENANCE**, and **SUPPORT (HEMS)** standard by exercising reasonable discretion to maintain the beneficiary's accustomed ascertainable standard of living and paying expenses directly to third parties. This provides structure while allowing flexibility for various needs.

HEALTH: Medical Care: Paying for emergency and regular medical treatments, hospital stays, surgeries, prescription medications, and medical equipment. Insurance: Covering premiums for health, dental, vision, life, and disability insurance. Mental Health/Rehab: Funding mental health counseling, therapy, and substance abuse rehabilitation programs. Wellness: Covering costs for items like gym memberships, eye exams, dental care, or even alternative treatments like acupuncture, if consistent with the beneficiary's lifestyle or the trust's intent.

EDUCATION: Tuition and Fees: Paying for public or private school tuition at all levels, from elementary to graduate or professional degrees. Related Expenses: Covering associated costs like books, supplies, laptops, and extracurricular activities. Living Costs: Funding room, board, and other living expenses while the beneficiary is enrolled in school or participating in an unpaid internship. Career Training: Paying for technical school, vocational training, or career advancement courses.

MAINTENANCE and **SUPPORT**: Housing: Covering rent or mortgage payments, property taxes, home insurance premiums, and essential repairs. Utilities and Groceries: Paying for recurring cost-of-living expenses like food, clothing, electricity, and phone/internet bills. Transportation: Funding vehicle purchases (commensurate with an accustomed lifestyle, e.g., a Honda, not a Rolls Royce), car insurance, and maintenance costs. Lifestyle: Covering reasonable vacation expenses, childcare, and basic recreation or hobbies to maintain the beneficiary's established standard of living. Professional Services: Paying for legal fees, accounting, or financial advisory services for the beneficiary or the trust administration. Management Best Practices Third-Party Payments: Trustees often pay expenses directly to institutions or service providers (e.g., a university or hospital) rather than giving cash to the beneficiary to ensure funds are used as intended. Documentation: Trustees require beneficiaries to provide invoices or bills as proof of legitimate expenses before making a distribution. Objective Decisions: An independent professional Trustee may be chosen over a family member to ensure objective decisions are made without emotional conflict. Adherence to Intent: The Trustee must always balance the current Beneficiary's needs with the long-term solvency of the Trust and the original intent of the Grantor, ensuring the HEMS standard is a measurable limitation, not a blank check.

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DRAFT TO BE SIGNED & NOTARIZED IN ZOOM VIA DOCUSIGN

Jane's & John's Primary Revocable Living Trust Beneficiaries

We, Jane Marie Doe (Date of Birth: S1BDay) (John's Spouse) & John David Doe (Date of Birth: S2BDay) (Jane's Spouse), Grantors/Settlors/Trustors/Trustees of the Doe Family Revocable Living Trust Dated 01 April 2026 direct, upon both of our Deaths, the Successor Trustee of the Trust to Give, Transfer, Distribute, Convey Bequest & Bestow the Rest, Residue & Remainder of the Trust Estate (Schedule A), **IN EQUAL SHARES**, to:

Child One (Date of Birth: C1Bday) (Jane's & John's Son/Daughter) as Trustee of the Child One Trust Dated TBD to be incorporated into a Prenuptial/Postnuptial Agreement

Child Two (Date of Birth: C2Bday) (Jane's & John's Daughter/Son) as Trustee of the Child Two Trust Dated TBD to be incorporated into a Prenuptial/Postnuptial Agreement

Child Three (Date of Birth: C3Bday) (Jane's & John's or Daughter) as Trustee of the Child Three Trust Dated TBD to be incorporated into a Prenuptial/Postnuptial Agreement

Child Four (Date of Birth: C4Bday) (Jane's & John's Daughter or Son) as Trustee of the Child Four Trust Dated TBD to be incorporated into a Prenuptial/Postnuptial Agreement

> any and all children born to, or adopted by, Jane Marie Doe & John David Doe, if any as Trustees of their Separate Property Trusts Integrated with Prenuptial/Postnuptial Agreements.

◀ **Warning** ▶ Gifts to Beneficiaries over age twenty five (25) are Outright and Free of Trust.
Under age twenty five (25) gifts are subject to the sole and absolute discretion of the Successor Trustee.

If a Beneficiary predeceases Jane Marie Doe & John David Doe, then the Distributive Share of the Predeceased Beneficiary shall be given, transferred, and Distributed, **IN EQUAL SHARES**, to the then living children of the Predeceased Beneficiary (John David Doe's grandchildren, for example), if any, (which is the definition of *Per Stirpes* or by representation) subject to the age twenty five (25) years restriction.

If a Predeceased Beneficiary has no children, then the gift Lapses to the remaining Beneficiaries in pro rata shares.

◀ **Warning** ▶ WA Estate Tax Planning & the necessary Separate Trust Funding are not covered by Legal Insurance; and are not part of the flat fees Preparation and Execution of Documents.

The WA Estate Tax Exemption is fixed at $3.076 million* for single people, and cannot be increased unless you are married. For married people, Estate Tax Planning increasing the **WA Estate Tax Exemption** from **$3.076 million*** to **$9.228 Million*** is allowed only in writing (Separate Trusts with the required legal language) signed by both spouses.

These complex and risky services requiring a CPA and Financial Advisor in addition to Counsel are available with this Legal Services Agreement for a discounted rate of **$1,500** payable via ZELLE QR Code csmulvaney@gmail.com Cell: 425–786–3470.

If you retain me for these services, I will have prepared & attached Exhibits A1 to A3 to your Trusts, added language to the Beneficiary Sections of the Separate Trusts, changed the language in the Transfer on Death Deeds, and created a PDF schedule with supporting documentation.

The fee is economical because you are doing administrative work that doesn't change your Estate Tax Liability. To avoid Estate Tax: obtain and complete the Spousal Consent Forms (I can notarize), name the Separate Property Trust as Primary Beneficiary on all accounts, open Trust Accounts, and print out all documents, and assemble them into a 3-ring binder with a tab for each property.

One way to avoid WA Estate Tax is to move out of Washington to a State that doesn't have Estate Tax, such as Florida, California, Arizona or Texas. Avoiding WA Estate Tax is only needed if you remain in Washington.

* Adjusted annually for inflation, and by periodic changes in the law. For additional information about the value of WA Estate Tax Planning click here.

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Jane's & John's Contingent (Secondary) Revocable Living Trust Beneficiaries

We, Jane Marie Doe (Date of Birth: S1BDay) (John's Spouse) & John David Doe (Date of Birth: S2BDay) (Jane's Spouse), the Grantors/Settlors/Trustors/Trustees of the Doe Family Revocable Living Trust Dated 01 April 2026, overriding the Intestacy Statute (RCW §11.04.015), if all gifts fail (meaning there are no living Beneficiaries or children of Beneficiaries), following the Deaths of Jane Marie Doe (Date of Birth: S1BDay) (John's Spouse) & John David Doe (Date of Birth: S2BDay) (Jane's Spouse), the Successor Trustee of the Trust shall Give, Transfer, Distribute, Convey Bequest & Bestow the Rest, Residue & Remainder of the Trust Estate, **IN EQUAL SHARES**, to:

> The Spouses of the children, parents, siblings, aunts, uncles, cousins, nieces, and nephews, of

Jane Marie Doe & John David Doe, provided that half goes to each side of the family.
(Siblings means born to or adopted by the same parents, not step siblings or half siblings, unless specifically stated).

Beneficiaries may donate their gifts to the church, charity, non profit, arts organization, or memorial scholarship that they believe would best honor their deceased loved one, and take the Tax Deduction for doing so.

In the Successor Trustee's sole, but reasonably exercised Discretion, Distributions may be postponed as long as a Beneficiary lives, if there is a compelling reason such as the Beneficiary's serious disability, a pending Divorce, potential financial difficulty, a serious Tax disadvantage or similar substantial cause. The Successor Trustee shall withhold Distributions to a Beneficiary in Bankruptcy until after Discharge is entered.

Incentive provisions in a Trust for Beneficiaries with addiction issues are designed to encourage positive behaviors and life choices by conditioning distributions on achieving specific, measurable goals.

The Beneficiary is required to consent to the disclosure of health and treatment information to the Trustee as a condition for receiving distributions. Examples of such provisions include: Sobriety and Recovery Milestones: Mandatory testing: Requiring the beneficiary to pass random, periodic drug and alcohol tests administered by an independent professional as a condition for receiving any non-essential distributions.
Treatment participation: Conditioning access to funds (beyond the cost of the treatment itself) upon verifiable participation in a rehabilitation program, counseling sessions, or 12-step programs, with proof of attendance required from the program administrator. Periods of sobriety: Authorizing limited cash distributions for specific lengths of documented sobriety (e.g., monthly payments after one month of clean tests, increasing to quarterly after six months, etc.). Educational Achievements: Providing funds for tuition, books, and living expenses, contingent on the beneficiary enrolling in an accredited college or trade school and maintaining a specific GPA. Granting a lump-sum distribution upon the completion of a degree or professional certification. Employment and Financial Responsibility: Income matching: Matching the beneficiary's earned income from a legitimate job dollar-for-dollar to incentive consistent employment.

Career milestones: Authorizing a distribution when the beneficiary secures their first full-time job, receives a promotion, or submits a viable business plan the Trustee approves. Financial literacy: Requiring completion of a personal finance or money management course before receiving direct access to funds. Responsible Behavior: Allowing distributions only if the beneficiary avoids legal trouble and has no arrests on drug or alcohol-related charges. Authorizing distributions for specific positive life events like purchasing a home or funding a wedding, provided other conditions (like sobriety) are met. Key Implementation Point: The Trust grants the Trustee broad discretion to interpret and enforce these conditions, often with the guidance of medical or addiction professionals, to ensure the provisions remain constructive rather than punitive.

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◀ Warning ▶ If a Beneficiary is a Successor Trustee, then Creditor Protection is lost under the Doctrine of Merger which means when those roles are combined the Beneficiary has control over Assets which make them subject to Creditor Claims. ◀ Warning ▶

The Grantor suggests that Beneficiaries take their gifts as Trustees of their Married Revocable Living Trusts integrated with a Prenuptial Agreement (if necessary or Postnuptial Agreement if already Married). Both the Trust and the Prenuptial/Postnuptial Agreement should be created if they do not already have a Separate Trust, and if they are engaged or Married, in order to preserve Separate Property during Marriage by having a separate Trust account into which inheritance can be deposited.

◀ Warning ▶ Although the Law gives Married people the right to keep inheritance as Separate Property, if your Spouse says: "You can either have Separate Property or you can be Married to me, but you can't have both; You have a decision to make." ◀ Warning ▶

To the fullest extent of the Law, the Interests of any Beneficiary (including the Trust Financial Principal as well as Distributions from the Trust) shall not be subject to any of that Beneficiary's Creditor Claims or liable to Attachment, Execution, susceptible of Anticipation or Alienation, or other Process of Law; and shall be free from the control or interference of any Spouse of a Married Beneficiary both during Marriage, and in the event of Divorce.

Provisions for Early Termination: The Trustee may terminate the Trust prior to the Free of Trust age, and distribute the remaining assets to the Beneficiaries if they are responsible enough in the Successor Trustees sole and absolute discretion. Otherwise whatever remains of each Beneficiaries share (from the separate account created by the Successor Trustee for each Beneficiary) must be distributed on the birthday when the Beneficiary reaches the Free of Trust age of age twenty five (25).

Provisions for Appointment of a Professional Trustee, a Fiduciary: Any Successor Trustee may appoint a professional to administer the Trust such as the BECU Trust Department. This Trust may be amended to attached any exhibits regarding fees and procedures for facilitating the transition to professional administration. If all Beneficiaries agree the Beneficiaries can appoint a Fiduciary as well.

Any Successor Trustee who appoints a Fiduciary shall have the right to retain the right to receive notice of all activity by the Fiduciary and to become the Guardian or Protector of the Trust.

If Beneficiaries appoint a Fiduciary, then the Beneficiaries can select a Guardian or Protector of the Trust. The Trust Protector may revoke the appointment to one Fiduciary and appoint another Fiduciary if the Protector does not believe that the Grantor's wishes are being fulfilled. The existence of this power is meant to make it more likely that everyone is in agreement that the wishes of the Grantors/Grantees of the Trust are being properly addressed.

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► ARTICLE 1 – DISTRIBUTE THE TRUST ESTATE FOR TAXES & CREDITORS; THEN BENEFICIARIES ◄

We Revoke all prior Washington state Family Revocable Living Trusts we may have Signed except the Doe Family Revocable Living Trust Dated 01 April 2026 My Successor Trustee shall have a Power of Appointment to name another Successor Trustee as necessary to carry out my wishes if no other Successor Trustee is named.

◄ **Warning** ► The Taxpayer Identification Number (TIN) of a Revocable Living Trust to be listed on any Beneficiary Designations is the Social Security Number of the Grantor/Trustor who owns the account or either for a joint account. The Trust will not have an EIN as long as you are alive. The Trust contains No Tax Planning or Asset Protection unless Exhibits A1 – A3 are attached to this Trust. Tax Return filing does not change. Tax Return filing does not change.

A Trust may or may not be necessary, but Revocable Transfer On Death Deeds and Beneficiary Designations will be used for certain if you own the Asset when you Pass. Those two methods of transferring Assets take Precedence over the Trust, and are more important. Trusts are insurance for special needs and circumstances which may cause gifts to be lost or wasted such as youth, addiction, disability, irresponsibility, Judgments, Bankruptcy, and Divorce. Separate Property Trusts become Irrevocable when you die which means they cannot be changed by anyone even a Judge. Funding your Separate Property Trust protects your Beneficiaries even if you get married. Trusts are an inexpensive, quick, and private substitute for Probate by the Court which is expensive, slow, and public. A Trust may be created only to the extent its purposes are Lawful, not contrary to Public Policy, and possible to achieve RCW § 11.98.013. Title to all Trust Assets shall be taken in the names of Jane Marie Doe & John David Doe, Trustees of the Doe Family Revocable Living Trust Dated 01 April 2026 as Community Property of Jane Marie Doe & John David Doe. The Successor Trustee shall have all of the Powers originally given to Jane Marie Doe & John David Doe pursuant to RCW § 11.98.060 and RCW § 11.98.070 without any restrictions in dealing with Trust Assets as the Grantors, Jane Marie Doe & John David Doe, have directed.

► Article 1.1 — Distribution of Remainder to Beneficiaries ◄

◄ **Warning** ► Following the Deaths of Jane Marie Doe & John David Doe, the Trust becomes Irrevocable meaning it cannot be changed by anyone, even a Court. ◄ **Warning** ►

The Trust Estate is the Property that is Re Titled in the names of Jane Marie Doe & John David Doe as Trustees of the Trust during life, or Property that is Poured Over into the Trust after Death by the Successor Trustee through a Revocable Transfer On Death Deed or Beneficiary Designation or by the Personal Representative (Executor Appointed by the Court) through Probate. The Inventory is the list of all Assets and Debts of Jane Marie Doe & John David Doe with Date of Death Values prepared by the Successor Trustee. The Remainder is what is left after all Taxes and Valid debts are paid. Beneficiaries **do not** have the right to receive any Property unless and until all Taxes and Valid debts are paid, even if debt is joint debt. Beneficiaries can be sued by the IRS or creditors for failure to pay debts of the Estate. This Trust shall be liberally construed to give effect to the Grantors' wishes. Administration of this Trust requires a Certified Copy of Jane Marie Doe's & John David Doe's Death Certificates. If only one Spouse Passes then the contents of this Community Property Trust should be absorbed into the Separate Trust of the Surviving Spouse.

For best results, keep paper Estate planning Documents with your paper Tax Returns, and create an encrypted Password Protected folder in the Cloud, and create a link to it, to store your separately Password Protected Documents including your Tax Returns, an Inventory of Assets in a Spreadsheet (Trust Agreement Schedule A), Letter of Instruction including sentimental Property, recorded Deeds, Beneficiary Designation screen prints, statements and bills, Tax Returns, and insurance policies. If your Successor Trustee does not know about an Asset and it is abandoned, then it will eventually end up in the Unclaimed Property Registry with the WA Department of Revenue.

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► Article 1.2 – Young Beneficiaries ◄

◄ Warning ► Gifts to Beneficiaries over age twenty five (25) are Outright and Free of Trust. ◄ Warning ►

If Beneficiaries are already over that age, then the Age Restriction would apply to children of Beneficiaries (grandchildren). Gifts to Beneficiaries under age twenty five (25) are in Trust subject to the Conditions in this Trust. The Successor Trustee shall create a separate account for each, and shall have the Sole and Absolute Discretion to distribute funds to, or for the Beneficiary benefit, in the manner the Successor Trustee believes Jane Marie Doe & John David Doe would have wanted.

Distributions shall be made for the Health Education Maintenance Support (HEMS) and General Welfare of the Beneficiary, either outright or to third Parties such as schools. The Discretion of the Successor Trustee is intended to protect against loss of gifts from youth, disability, addiction, irresponsibility, Judgments, Bankruptcy, and Divorce. The Successor Trustee is responsible for notice and Accounting for Distributions and for Prudent Investment of Trust Funds (RCW § 11.100).

► Article 1.3 – Adult Beneficiaries ◄

Beneficiaries over the age of eighteen (18) years shall create, if they do not already have one, a Trust in Order to receive their Bequests, and shall create a Prenuptial/Postnuptial Agreement as appropriate. Inheritance and gifts are presumed to be Separate Property (as are Pain and Suffering Damages. However, Separate Property during Marriage requires three things: (1) Writing, (2) not co mingling with Community Property, and (3) Consent of your Spouse because your Spouse can threaten to Divorce you if you don't share).

A Separate Property Trust gives the Beneficiary a separate way to title Property acquired before Marriage, gifts, and inheritance. This avoids disinheritance of grandchildren if an Adult Child of Jane Marie Doe or John David Doe with children predeceases and the Surviving Spouse remarries. Commingling of Separate and Community Property after Marriage can cause the loss of characterization as Separate Property.

► Article 1.4 – Predeceased Beneficiaries ◄

If a Beneficiary predeceases Jane Marie Doe & John David Doe, then the Distributive Share of the Predeceased Beneficiary shall be given, transferred, and Distributed, **IN EQUAL SHARES**, to the then living children of the Predeceased Beneficiary (grandchildren, for example), if any, (which is the definition of *Per Stirpes* or by representation) subject to the age twenty five (25) years restriction. If a Predeceased Beneficiary has no children, then the gift Lapses to the remaining Beneficiaries in pro rata shares.

◄ Warning Trap for the Unwary ► This Trust will be primarily funded with Real Estate via a Revocable Transfer On Death Deed and with Retirement Accounts and stock via Beneficiary Designations after the Deaths of Jane Marie Doe & John David Doe. Both require the date of the Trust. ◄ Warning ►

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◄ Warning ► Therefore, it is imperative that this Trust be kept safe so that it can be used by the Successor Trustees to Administer Property, and not be Revoked by creating a new Trust. An Amendment and Restatement of the Doe Family Revocable Living Trust Dated 01 April 2026 is what is needed rather than a new Trust. A gift to a Trust that does not exist is Void and triggers the need for Probate, defeating the purpose of creating the Trust. ◄ Warning ►

► Article 1.5 — Termination of the Trust ◄

Once fully Distributed, the Trust is Terminated. The Trust may also be Terminated if the Successor Trustee determines that administration is unfeasible whether due to diminished value, Taxes, or any other reason. No Registry exists for Trusts because their purpose is to facilitate private transfers with minimal Government involvement.

◄ Warning ► Do Not Administer the Trust without Counsel for the Estate and a CPA paid for by the Estate. Get approval from all Beneficiaries before making Distributions. ◄ Warning ►

Beneficiaries should be aware that Counsel for the person creating an Estate Plan does not have a duty to timely create a Will or Trust for the protection of Beneficiaries named because Counsel does not represent the Beneficiaries. In Parks V. Fink PLLC (2013), the Washington State Appeals Court for Division I held that an Attorney no duty to care to prospective Beneficiaries. The Decedent suffered from terminal cancer and underwent a stem cell transplant while he was engaged in Will revisions which were not timely completed.

◄ Warning ► The lesson here is to settle your affairs before you are sick in an enduring manner such that changes are not made while in the latter stages of medical treatment. Christopher S. Mulvaney has had clients on their deathbed asking for changes and clients in Hospice who hadn't yet recorded their Transfer On Death Deed so there was a race to record before death. These situations should be avoided. Any harm that comes to Beneficiaries as a result of the Grantor waiting too long is not actionable. ◄ Warning ►

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▶ ARTICLE 2 – AVOID PROBATE ◀

▶ Article 2.1 – Avoid Probate: Revocable Transfer On Death Deed – Transfer of a Non– Probate Asset ◀

The Washington Uniform Real Property Transfer on Death Act (RCW § 64.80) permits Rev cable Transfer On Death Deeds to Avoid Probate for an unlimited number of pieces of Real Property of unlimited value. Beneficiaries take the Property subject to Liens, Taxes, Liabilities, and other Encumbrances to which the Decedent's Estate is subject. The Beneficiary receives a Step Up In Cost Basis to the Date of Death Value. nothing need be done with the Deed to Refinance or Sell. The Real Estate Excise Tax Affidavit (REETA) costs nothing to Record. For more information: See MULVANEY LAW OFFICES, PLLC Website.

Recording is required to transfer Title to Real Property. In King County, Electronic Recording is available (not in Snohomish County) for four hundred ($400) U.S. Dollars per Deed (as of 01 April 2024) payable via Zelle. If you Record a Quitclaim Deed to a Trust, then you do not need a Revocable Transfer On Death Deed because you have already avoided Probate. If the Quitclaim Deed is to an LLC, then a Revocable Transfer On Death Deed can still be used to Avoid Probate.

◀ **Warning** ▶ The main drawback to Revocable Transfer On Death Deed is that the Beneficiary may not be able to get Title Insurance to sell the Property for about twenty four (24) months because of the possibility of Claims by Creditors of the Estate. Publishing notice to creditors in a non-probate creditor claims procedure cuts this period to four (4) months.

▶ Article 2.2 – Avoid Probate: Beneficiary Designations – Transfer of a Non– Probate Asset ◀

◀ **Warning** ▶ Two Statutes void Beneficiary Designations. You cannot name any one other than your Spouse as Primary Beneficiary. Doing so is Void without a completed Spousal Consent Form/Waiver. If you Divorce, naming of your Spouse is void upon entry of the Divorce Decree. If you want to name your X–Spouse, you have to change the Beneficiary Designation after entry of the Decree. ◀ **Warning** ▶

In Re: Estate Of David A. Egelhoff (1999), the Washington State Supreme Court ruled that RCW 11.07.010 Non–Probate Assets Dissolution voiding x–spouse was not preempted by Federal Law such that the Children of the Decedent could take the pension plan and life insurance benefits instead of the x–spouse. You should take your x–spouse off your Beneficiary Designations, but if you forget, your children are protected.

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Beneficiary Designations are Non Probate Transfers: that is why they were created – to Avoid Probate. Either the Grantors' children, or the Trust, should be named as Contingent Beneficiary after the Spouse as Primary Beneficiary on 401(k) Accounts, IRA Accounts, Life Insurance, or Health Savings Accounts. Debts of the Estate of the Grantors must be paid first if the Trust is named as Beneficiary; if Beneficiaries are named directly, they are not liable for Estate Debts. For more information: See MULVANEY LAW OFFICES, PLLC Website.

◀ **Warning** ▶ Do Not leave Beneficiary Designations blank. Probate is required if the Assets are over one hundred thousand ($100,000) U.S. Dollars, and no living person or Trust is named.

The Successor Trustee shall have the power to elect, pursuant to the terms of any inherited retirement plan, the mode of distribution of the proceeds.

◀ **Warning** ▶ Once a Distribution is made, it cannot be changed; So, don't cash out a Retirement Account all at once or you will owe tax on the whole amount as regular income at a higher tax bracket. ◀ **Warning** ▶ ◀ **Warning** ▶ ◀ **Warning** ▶ ◀ **Warning** ▶

The custodian of any Retirement Account shall be able to "Look Through" the Trust to the named Beneficiaries and take Distributions over ten (10) years or however long is allowed (not Health Savings Accounts (HSA) which have different rules). The Successor Trustee shall have the right to Amend and Restate this Trust to comply with any Regulations to give effect to Jane Marie Doe's & John David Doe's wishes.

◀ **Warning** ▶ The Estate should never be named as a Beneficiary because that triggers a Probate, and defeats the purpose of the Designation. Beneficiaries should be Individuals or Trusts (which have been Signed because the Date of Signing is required as it's birthday just like the birthday of the Individual is required). If you haven't Signed yet, your Trust doesn't exist yet.

▶ Article 2.3 – Avoid Probate: Payable on Death Designations – Transfer of a Non Probate Asset ◀

Some accounts allow a Payable on Death (POD) Designation that the Grantor can use to make the account a Non Probate Asset. This creates liquidity for the Estate by providing faster access to Funds without the forty (40) day waiting period of an Affidavit of Small Estate.

In Re: Estate of Catherine M. Burks (2004), the Washington State Appeals Court for Division II held that a Payable on Death designation could be superseded by a Will. RCW 11.11.020 Disposition of Nonprobate Assets under a Will, sometimes referred to as the Super Will Statute.

In the opinion of Christopher S. Mulvaney, this is a reason to not have a Will or at least never address Non Probate Assets in a Will. If bank accounts, retirement accounts, brokerage accounts, Health Savings Accounts and life insurance with Beneficiary Designations cannot be relied upon by the named Beneficiary because of being superseded by a Will – that is a recipe for disappointment and litigation. I do not believe it should be allowed. Thankfully, a Will does not supersede a Transfer On Death Deed, so a Beneficiary of real estate through a TODD can count on receiving the property without Probate, whereas a 401(k) Beneficiary may be faced with a Probate heir who takes the asset over the objection of the Beneficiary named in the Designation.

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► Article 2.4 – Avoid Probate: Opening Trust Accounts ◄

Doing so is known as Funding the Trust. Opening an account in your name as Trustee of your Trust keeps Property separate even after Marriage. The purpose of doing so is to give the Successor Trustee access to Funds (in conjunction with a Power of Attorney for Finances) while you are still alive to care for you and/or your children, in addition to avoiding Probate upon Death. For the greatest protection, after Signing, take a copy of this Trust to your Bank, open a Trust Checking Account and Savings Account, and transfer your money into it.

► Article 2.5 – Avoid Probate: Affidavit of Small Estate ◄

◄ Warning ► As long as the Estate of Jane Marie Doe & John David Doe contains no Real Estate, and is valued less than one hundred thousand ($100,000) U.S. Dollars, then no Probate is needed. A notarized Small Estate Affidavit may be the Beneficiary at least forty (40) days after the Deaths of the Departed (RCW § 11.62). ◄ Warning ►

► Article 2.6 – ◄ Warning ► Do Not Avoid Probate by Holding Real Property as Joint Tenants with Right of Survivorship Unless You Are Married ◄

Giving an interest in real estate to an adult child during your life will avoid probate, but may have other unintended negative tax consequences because there is no step-up in cost-basis for gifts during life as there is for gifts after death (including transfers with a revocable Transfer On Death Deed).

Doing so may also include the Property in a Bankruptcy or Divorce Estate of an Adult Child, and refinance or sale requires the Adult Child's Signature. Ask a CPA about Capital Gains Taxation Rates which can be Short or Long Term and can be affected by Depreciation, income or marital status but is typically about fifteen percent (15%) (fifteen hundred dollars ($1,500 per ten thousand dollars ($10,000) in gain) which is less than Ordinary Income Tax, but can still be Significant. Even if two people are on Title with equal shares of a Property, they can divide Equity based on unequal contributions to the home by Recording a Promissory Note and Deed of on the Property.

► Article 2.7 – ◄ Warning ► Don't Force a Probate by Holding Real Property as Tenants in Common ◄

Each owner can pass their undivided interest to their Heirs, creating fractional ownership which is not marketable (nobody wants to buy half a house). Without a Revocable Transfer on Death Deed for the fractional interest, Probate is required. All owners must agree in order to Refinance or Sell the Property.

◄ Warning ► This Trust contains No Tax Planning or Asset Protection unless Exhibits A1 – A3 are attached to this Trust. Tax Return filing does not change. Tax related information is provided for information purposes only to form a basis for CPA questions. ◄ Warning ►

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► ARTICLE 3 – AVOID WA ESTATE TAX ◄

Nothing is Certain, but Death and Taxes. ——— Benjamin Franklin

► Article 3.1 Tax; Only Estate Tax, No Gift Tax ◄

Washington Estate Tax Tables show a filing threshold and exclusion amount in 2026 is $3,076,000 U.S. Dollars* (inflation adjusted annually starting in 2026, with a marginal tax rate starting at 10% and a top marginal tax rate of 35% – the highest in the nation). A **WA Estate Tax Return** must be filed by the Successor Trustee if the total gross estate value is above $3,076,000 U.S. Dollars*.

See WA DOR Re: WA Estate Tax & MLO website for WA Estate Tax avoidance.

One way to avoid **WA Estate Tax** is to **move out of Washington to a State that doesn't have Estate Tax**.

The twelve states that levy state estate tax are: Connecticut, Hawaii, Illinois, Maine, Massachusetts, Minnesota, New York, Oregon, Rhode Island, Vermont, and Washington.

*The annual inflation adjustments beginning in 2026, will be based on the Seattle–area CPI, as calculated by the U.S. Bureau of Labor Statistics. The estimated rate is about 2.7% which would be an increase of $81,000.

◄ **Warning** ►This Trust contains No Tax Planning or Asset Protection. Tax related information is provided for information purposes only to form a basis for CPA questions.

► Article 3.2 – Federal Unified Gift & Estate Tax ◄

IRS Lifetime Unified Exclusion Amount For Estate And Gift Tax in 2026 from which gifts during life over the Federal Annual Gift Tax Exclusion From Reporting are deducted is $15,000,000 U.S. Dollars* per person; $30,000,000 U.S. Dollars* per couple) *(inflation adjusted annually based on the Chained Consumer Price Index for All Urban Consumers (C–CPI–U) starting in 2027 which is about the same 2.7% or $810,000).

Federal Annual Gift Tax Exclusion From Reporting in 2026 is $19,000 U.S. Dollars. File IRS Form 709 if you give more than that amount to anyone other than your Spouse in a year to report the Gift. Transfers between Spouses during life and after death are not taxable regardless of amount. Tax is owed only above the exclusion amount by the giver of the gift, not the recipient, so most givers have a reporting requirement, but pay no tax. The gift is deducted from the Lifetime Exclusion amount.

◄ **Warning** ► It is important to understand that: gifts made during life have your cost basis for the Beneficiary; gifts made after death have a step up in cost basis to the fair market value of the property at the date of the decedent's death.◄ **Warning** ►

The WA State Estate Tax Exemption for a non-citizen (Green Card holders are not citizens) spouse is $3.076 million* in 2026 (rather than unlimited for citizen spouses). An Irrevocable Trust can avoid the Tax.

The Federal Annual Gift Tax Exclusion from reporting in 2026 for non-citizen spouses is $194,000 (rather than unlimited as for citizen spouses). The primary consequence of exceeding the $194,000 annual exclusion for a non-citizen spouse is the requirement to file Form 709 and reduce your available $15 million* lifetime exemption, not typically to pay gift tax.

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► ARTICLE 4 – TRUST ADMINISTRATION ◄

► Article 4.1 — Paying Taxes, Creditors and then Beneficiaries ◄

The Probate Court has Exclusive Jurisdiction over the right to transfer Real Property of deceased people when the Property is held only in the names of deceased people, with no Beneficiaries named. A Revocable Transfer On Death Deed avoids this Jurisdiction.

◄ **Warning** ► The Trust shall be Valid for a maximum of one hundred fifty (150) years from the Date of Execution by Jane Marie Doe & John David Doe pursuant to **RCW § 11.98.150**. The Successor Trustee shall not be liable for acting, or failing to act, so long as the Successor Trustee's conduct is consistent with Principles of Loyalty (**RCW § 11.98.078**) and Good Faith (**RCW § 11.98.040**). ◄ **Warning** ►

► Article 4.2 — Inventory Assets/Debts Date Death Value ◄

The Successor Trustee should provide all Beneficiaries with an Inventory of all of the Assets of the Trust, and all debts and expenses paid by the Trust with Date of Death Values (Accounting) within forty (40) days after Jane Marie Doe & John David Doe both die, and just prior to Final Distribution, as well as at least annually in between (RCW § 11.106). The Inventory of Assets and Debts prepared by Jane Marie Doe & John David Doe is traditionally referred to as "Schedule A." The Estate Administrator has to prepare the Inventory regardless of whether the Grantors, Jane Marie Doe & John David Doe, assists with a list or not. Listing is not the same as Funding the Trust. Funding requires a change in the Records of the Custodian of the Asset such as the County Recorder or financial institution. That is why the supporting records of Funding should be attached to the list of Assets.

► Article 4.3 — Fiduciary Tax Returns (IRS Form 1041) ◄

If the Trust will have earnings for a period of years after Jane Marie Doe & John David Doe die, but before the Trust is fully Distributed, then the Successor Trustee is strongly advised to hire a CPA to prepare the required Fiduciary Tax Returns and get advice on Tax issues. Here are the instructions for IRS Form 1041 to have a basis for questions of the CPA for the Estate.

◄ **Warning** ► Successor Trustees should distribute earnings to Beneficiaries every year or face a tax penalty. ◄ **Warning** ►

If undistributed to a Beneficiary, a Trust pays more in Tax on earnings than individuals. Washington adopted the Uniform Principal and Income Act (UPIA). The tax rate is the same for individuals and Trusts, but the threshold is much lower for Trusts.

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► Article 4.4 – Successor Trustee Powers and Liability are Equal to the Grantor/Settlor/Trustor/Trustee ◄

The Successor Trustee has all of the Powers, Duties, and Discretionary Authority of the Original Trustee pursuant to RCW § 11.98.060. The Personal Representative is responsible for filing the Final Tax Returns of Jane Marie Doe & John David Doe and paying any Federal or Washington Estate Tax due. The Tax Liability from the Decedent's Final Income Tax Return is separate and distinct from Estate Tax. Successor Trustee s are Fiduciaries; they have duties to safeguard Trust Property. Grantors/Settlors/Trustors/Trustees/Trustees and Successor Trustees have the Power to Bargain, Sale, Convey or Execute a Mortgage on any Property owned by Jane Marie Doe & John David Doe at the Discretion of the Grantors/Trustees and Successor Trustees.

► Article 4.5 – Broad Interpretation Gives Effect to Grantor's Wishes ◄

The Trust is to be interpreted broadly to give effect to the wishes of Jane Marie Doe & John David Doe, including, but not limited to, interpreting the plural and singular to include each other where applicable. Reformation by the Court to correct mistakes should be exercised if needed (RCW § 11.96(a).080 90).

Jane's & John's Inventory & Letter of Instruction including Memo of Sentimental Property

All property that does not have a Title and an associated Social Security Number has been assigned to this Trust. That means that following the Death of both Grantors/Settlors/Trustors/Trustees for a Family Trust or the Trustor for an Individual or a Separate Property Trust the Successor Trustee of the Trust can distribute property according to the Trustor's wishes without any contact with the Probate Court.

Non–Titled property examples include: furniture, jewelry, art, antiques, collectibles, electronics, and clothing. The Inventory of Assets and debts should include any sentimental possessions such as jewelry, art, antiques, collections, collectibles, photographs, scrapbooks, and souvenirs.

Titled property must be put into the Trust in writing with a Transfer On Death Deed, Beneficiary Designation or Trust account. Titled property examples include: houses, cars, bank accounts, 401(k), IRA, & life insurance.

If the Trustor leaves a Letter of Instruction to the Successor Trustees that would be very helpful to ease administration, and make disputes less likely.

Here is an example of ideas for the Letter, including such items as contact information, care of children including ages for partial distrinbutions, care of pets, funeral arrangements, wake or celebration of life, flame cremation, burial, human composting, liquid cremation, Inventory of Assets and debts, user names and passwords, safe or safe deposit box, sentimental possessions, legacy contact for electronic accounts, and any charitable giving wishes you may have allowing whomever you designate to take the tax deduction.

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► ARTICLE 5 – THE REVOCABLE LIVING TRUST ESTATE ◄

► Article 5.1 — Trust Property: Community Property ◄

All of the Trust Property is Community Property. Assets acquired before Marriage are presumed to be Separate Property, as are Gifts and Inheritance. Keep a Schedule listing all of the Property that has been transferred (by Re Titling) or will be transferred (via a Deed or Beneficiary Designation) into a Separate Trust. Add Gifts and Inheritance to an account titled in your name as Trustee of your Trust. As long as Trust Assets are not Commingled with Community Assets after Marriage, Trust Assets retain their character as Separate Property.

► Article 5.2 — Assignment Trust Estate Contains Non Titled Property Automatically; Transfer Titled Property to Fund the Trust ◄

◄ **Warning** ► The Grantors, Jane Marie Doe & John David Doe, hereby Sets aside, Assigns and Causes the Transfer of all of Non Titled (doesn't have your name associated with it) Property to the Trust, as well as all future Non Titled Property acquired by Jane Marie Doe & John David Doe. Funding the Trust with titled Property requires changing the records of the account holder. ◄ **Warning** ►

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► ARTICLE 6 – CONTROL, POWER TO REVOKE & AMEND ◄

► Article 6.1 – Grantors Retain Control Trust Property ◄

Grantors, Jane Marie Doe & John David Doe retain complete Control of Trust Property, and the rights to all income or profits from the Trust Property. Jane Marie Doe & John David Doe may add Property to the Trust or remove Property from the Trust at any time.

► Article 6.2 – Grantors Can Revoke or Amend the Trust in Writing ◄

This Trust may be Amended and Restated or Revoked at any time by Jane Marie Doe & John David Doe. Amendment must be done in Writing and notarized by Jane Marie Doe & John David Doe. Revocation may be done by destruction or in Writing.

In Re: Estate of Claire A. Malloy (1998), the Washington State Supreme Court held that changes to a Trust in pencil were invalid. You must re–execute your Trust, and have it notarized. Both can be done electronically post–COVID.

► Article 6.3 – Severability The Whole Trust Is Not Invalid If Any Part Is Invalid ◄

If a Court invalidates or finds unenforceable any provision of the Trust, such invalidation shall not invalidate the whole of the Trust. All of the remaining provisions will be undisturbed as to their legal force and effect.

► Article 6.4 – Perpetuities Savings Trusts Can't Go On Forever ◄

◄ **Warning** ► Despite any other provisions of the Doe Family Revocable Living Trust Dated 01 April 2026 to the contrary, the Trust shall Terminate no later than twenty one (21) years after the Death of the Last Surviving Beneficiary who is alive at the time of Jane Marie Doe's & John David Doe's Death or one hundred fifty (150) years (RCW § 11.98.130). ◄ **Warning** ►

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► ARTICLE 7 – GRANTORS' INCAPACITY ◄

► Article 7.1 — Successor Trustee Cares for the Grantors ◄

If Jane Marie Doe & John David Doe become incapacitated and unable to manage Jane Marie Doe's & John David Doe's affairs, then the Successor Trustee shall use the Trust Estate to care for Jane Marie Doe & John David Doe with a Power of Attorney for Finances giving access to Trust Assets.

► Article 7.2 — Income and Financial Principal Paid for the Grantor's Benefit ◄

Successor Trustees shall pay to Jane Marie Doe & John David Doe or apply for the benefit and care of Jane Marie Doe & John David Doe, in monthly or more frequent installments, as much of the net income of the Trust, and also as much of the Financial Principal of the Trust Estate as the Successor Trustee deems appropriate for the Jane Marie Doe's & John David Doe's support, comfort, health, care and general welfare, taking into account Jane Marie Doe's & John David Doe's accustomed standard of living, and other resources available to Jane Marie Doe & John David Doe for these purposes.

► Article 7.3 — Grantors' "Care" Emphasizes Remaining at Home ◄

The term "Care" includes, but is not limited to, maintaining Jane Marie Doe & John David Doe during Jane Marie Doe's & John David Doe's lifetime in Jane Marie Doe's & John David Doe's regular residence, or elsewhere as may be appropriate, despite a need for extensive medical or personal care at a cost that may exceed the cost of care at a home for the elderly. Jane Marie Doe & John David Doe wish the Successor Trustee, to the extent practical, to exercise Discretion under these provisions to enable Jane Marie Doe & John David Doe to live at home.

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► ARTICLE 8 – PROTECTION OF GRANTORS' WISHES ◄

► Article 8.1 – Spendthrift Clause Beneficiaries' Creditors Can't Reach Gifts ◄

Gifts to any Beneficiary of this Trust shall not be Anticipated, Assigned, Encumbered, or Subject to Claims or Judgments of the Trust Beneficiary Creditors or others, or liable to Attachment, Execution, Bankruptcy (under 11 USC § 541(c)(2) or other process of Law), for the Satisfaction of Judgments or Creditor's Claims.

◄ **Warning** ► Pursuant to RCW § 6.32.250(2) funds held in Trust are Exempt from Seizure. No Trust Beneficiary shall have any Right to Assign, Transfer, or Encumber the Trust Beneficiary's Interest in the Financial Principal or Income of the Doe Family Revocable Living Trust in any manner. ◄ **Warning** ►

◄ **Warning** ► If a Beneficiary is a Successor Trustee, then Creditor Protection is lost under the Doctrine of Merger which means when those roles are combined the Beneficiary has control over Assets which make them subject to Creditor Claims. ◄ **Warning** ►

► Article 8.2 – No Contest (Ad Terrorem) Provision If You Don't Respect Grantors' Wishes, Then Disinherited ◄

If any Trust Beneficiary contests the Doe Family Revocable Living Trust Dated 01 April 2026 or attempts to have declared invalid, or in any manner attempts to alter through Court any of the Beneficial Interests created by this Trust, then the Trust shall be Administered and Distributed as if such person (and all of that person's Heirs) had predeceased Jane Marie Doe & John David Doe. Instead the Successor Trustees and Beneficiaries should Mediate, and if that fails enter Binding Arbitration to resolve the dispute.

Will contests must be filed within four (4) months of a Will being admitted to Probate. This is strictly interpreted. In Re: Estate of Bela E. Toth (1999), the Washington State Supreme Court held that 3 additional days are not added when served by mail like they are for a Summons and Complaint.

► Article 8.3 – Credit Freeze: Protect Estate from ID Theft ◄

If you, Jane Marie Doe & John David Doe, do a Credit Freeze while you are alive, it protects you from Identity Theft. It also protects your Estate from theft, and negates the need for the Successor Trustee to submit a notice of Death to each Credit Bureau. Criminals steal the Social Security Numbers of recently deceased people for the purpose of fraudulently obtaining credit which can be hurtful to your loved ones.

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► ARTICLE 9 – POWERS OF SUCCESSOR TRUSTEES ◄

► Article 9.1 – Power to Appoint Successor Trustees and Successor Guardians to Avoid Court Appointments ◄

Successor Trustees and Guardians shall have the Power to Appoint another Successor Trustee or Guardian to take their place if unable or unwilling to serve. The Successor Trustee or Guardian shall not be liable for an Appointment made in Good Faith. The Appointment must be made in Writing, Signed and notarized.

The Successor Trustee shall have the right to Amend and Restate the Trust to include any fee related provisions for Institutional Trustees such as Banks or Financial Services Companies or any other Amendment and Restatement to facilitate Administration without altering the Distributive Provisions for the Beneficiaries.

► Article 9.2 – Protector of the Trust Watching Over the Actions of a Bank Appointed Successor Trustee ◄

Successor Trustees may retain the Power to Remove and Replace any newly Appointed Successor Trustee. The Successor Trustee may also Retain the Right to Approve Discretionary Actions by the newly Appointed Successor Trustee. By retaining such Powers, the Successor Trustee may act as a Protector of the Trust. These Retained Powers specifically apply to Institutional Trustees, such as Bank Trust Departments.

► Article 9.3 – Powers of the Successor Trustee Include all Powers of Grantor/Settlor/Trustor/Trustee ◄

Successor Trustees shall have all Powers of the Grantors/Trustees, Jane Marie Doe & John David Doe, and all Powers appropriate to the Orderly and Effective Administration of the Trust including the Powers set forth in RCW §11.98.070.

► Article 9.4 – Out of State Fiduciaries May be Appointed to Accomplish Goals Not Permitted in Washington ◄

Successor Trustees may appoint a Fiduciary like the South Dakota Trust Company to access some of the best Trust laws in the Country such as Perpetual Top-Tier Privacy Domestic Asset Protection Dynasty Trusts and Secret Trusts and Directed Trusts with no-state income or capital gains tax and administration advantages including permanently sealed court records and the Successor Trustee of this Trust being the Trust Protector. Trust assets may be decanted into a new South Dakota Trust without Court Approval. Residents of non-Community Property States can create Special Spousal Property Trusts (SSPT's) which give the same 100% step-up in cost basis that Washington has, but is only available to Washington Residents. South Dakota Trusts may be created during life to avoid Estate Tax.

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► Article 9.5 — Successor Trustee's Power to Create Trusts, Consolidate or Dissolve this Trust if Uneconomical ◄

The Successor Trustee shall have the Sole and Absolute Discretion to create Trusts for Beneficiaries of this Trust such as Special Needs or Spendthrift Trusts as the Successor Trustee deems appropriate. The Successor Trustee shall have the Discretion to Dissolve this Trust if Administering it is uneconomical for Tax reasons, small size, or otherwise.

In Riddell (2007), the Washington State Appeals Court for Division II upheld the Trial Court's right to create a Special Needs Trust due to changed circumstances, specifically the schizophrenia of the daughter. Going to Court should not be necessary. The Successor Trustee shall have the right to avoid going to Court and to form any Special Needs Trusts or similar or equivalent for the Benefit of Beneficiaries who should not have direct control over the gift.

► Article 9.6 — Compensation of Successor Trustee Must Be Reasonable and Necessary Customary Compensation ◄

No Bond shall be required of any Successor Trustee. The Successor Trustee shall not be liable for acting, or failing to act, as long as the Successor Trustee's conduct is in Good Faith. The Successor Trustee, as long as the Successor Trustee is not a Beneficiary, shall be entitled to Reasonable and Necessary Customary Compensation from the Estate of Jane Marie Doe & John David Doe. The Successor Trustee shall employ such Attorneys, accountants, or appraisers, as the Successor Trustee deems reasonably necessary; to rely upon their Tax, legal, or other expert advice, and pay them reasonable Fees for such Services.

Successor Trustees may refuse to accept compensation. The Successor Trustee shall be entitled to reimbursement of all necessary costs. The costs of others, relating to travel to and from any funeral or memorial, may be reimbursed at the Successor Trustee's Sole and Absolute Discretion. Guardians are entitled to the same regardless of whether they are Beneficiaries.

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► ARTICLE 10 – KEEPING GOOD RECORDS AND FINISHING ESTATE PLAN ADMINISTRATION◄

► Article 10.1 — Domestic Trust: Not A Foreign Trust ◄

This Trust shall not be deemed to be a Foreign Trust even if the Successor Trustee Appointed is not a U.S. Citizen (or Lawful Permanent Resident or "Green Card" holder), and does not live in the U.S. The Successor Trustee has the Power to Appoint a Citizen resident to carry out the duties, and shall be required to do so to avoid Taxation and Reporting Requirements.

◄ **Warning** ► Foreign gifts received over one hundred thousand ($100,000) U.S. dollars in one (1) year need to be reported to the IRS on Form 3520, "Annual Return To Report Transactions With Foreign Trusts and Receipt of Certain Foreign Gifts" but are not Taxable. You must identify the donor's name and address regardless of the individual gift size. Gifts from Foreign Corporations or Partnerships: The threshold for 2026 is approximately $19,570.

► Article 10.2 — An Effective Estate Plan Includes a Copy of Recorded Revocable Transfer On Death Deeds on All Real Property and a Copy of Beneficiary Designations on All Accounts ◄

One common way to address situations in which family members live on the other side of the Country, or the World, is to name local people temporarily as Successor Trustees and Guardians, if applicable, and then name distant family members permanently.

A Spreadsheet Inventory of Assets and Debts and a Letter of Instruction round out effectiveness. Communication about where to find all of these things is key. It is up to you to let your family know how to access your electronic and paper records. That includes user names and passwords, keys, and combinations. Keep everything safe and secure during your life, and after you are gone.

► Article 10.3 — Trust Provisions to be Followed in Probate ◄

It is our, Jane Marie Doe's & John David Doe's, wish that any Personal Representative (gender neutral term for Executor) Appointed in an Intestate (without a Will) Probate, honor the wishes in my Trust, and use Appointment by the Court to Fund the Trust and Distribute as directed. The Washington Legislature has essentially already executed a Will for every resident of Washington in the form of the Intestacy Statute. Under the Statute your Next of Kin are your Heirs. So, your children share equally automatically. You don't need a Will for that.

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The Personal Representative (formerly known as Executor) must live in the County where your Property is located, so if you have named ineligible people in your Will the Beneficiaries need to consent by Affidavit, which is the same result as if you didn't have a Will. Your Estate is much safer when all of the Beneficiaries communicate before a Probate Petition is filed. Not having a Will forces this to happen. A Will does not require the Personal Representative to consult Beneficiaries in advance.

► Article 10.4 – Electronic Wills May Become Invalid ◄

The Uniform Electronic Wills Act became effective January 1, 2022. The Washington Bar News published an article describing the changes. However, as a result of the Pandemic, all Signing at MULVANEY LAW OFFICES, PLLC is electronic and unwitnessed (no ink Signatures or live or electronic witnesses). Since an Electronic Wills may become invalid after Execution if a "Qualified Custodian" (not you or your Heirs) has not been in possession of the Will from the Date of Execution to the Date of Death, I have decided not to Execute Electronic Wills.

A Will is not required for Probate and there are some advantages to Probate without a Will. The main reason for having a Will is if you wish to disinherit a child, which is rare. You should not need a Probate if you record Revocable Transfer On Death Deeds and use Beneficiary Designations.

► Article 10.5 –Repository Paper Wills Won't Be Invalid ◄

Wills are frequently lost. In Re: Estate of Margaret Black (2004), the Washington State Supreme Court applied RCW 11.20.070 Proof of lost or destroyed Will to determine whether evidence was clear, cogent, and convincing. If you, Jane Marie Doe & John David Doe, believe that you absolutely must have a Last Will and Testament with two witnesses' notarized Signatures, then finding Counsel who is willing to Sign and notarize with witnesses in person, and using the King County Will Repository into which Wills of living people can be kept for one hundred (100) years for twenty ($20) U.S. Dollars is the best option.

► Article 10.6 – Wills Can Conflict with Trusts ◄

RCW 11.11.020 Disposition of Non–Probate Assets under Will allows Wills to potentially take precedence over Trusts such that even if Real Property has been Quit Claimed to a Trustee of a Trust, a Will may validly give the house to someone else. That is what the Supreme Court of Washington decided in Manary V. Anderson (2013). Anderson was the Beneficiary of the Will; Manary was the Successor Trustee of the Trust. Anderson prevailed.

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DocuSigned by: Jane Marie Doe A6E4A42844E6464	DocuSigned by: John David Doe A6E4A42844E6464

Electronically Signed in DocuSign via ZOOM by:

Jane Marie Doe & John David Doe

Pursuant to Senate Bill 5641 & RCW § 45.280, in Bellevue, WA, I, Christopher S. Mulvaney, Notary Public in the State of Washington, certify that I have satisfactory evidence that Jane Marie Doe (Date of Birth: S1BDay) & John David Doe (Date of Birth: S2BDay) are the persons who appeared before me on **April 27, 2026**, signed, and attested this Instrument; and acknowledged it to be a free and voluntary act for the uses and purposes mentioned in this Instrument.

Notarial act performed by audio–visual communication in Zoom/DocuSign WAC 308–30–310.
Given under Christopher S. Mulvaney's Hand and Seal of Office
Notary Public residing in Bellevue, WA My Commission Expires: 09 – 01 – 2028

State of Washington County of King

DocuSigned by: Christopher S. Mulvaney A6E4A42844E6464

CHRISTOPHER S. MULVANEY
Notary Public
State of Washington
Commission # 20105562
Commission Expires 9/1/2028

Christopher S. Mulvaney Signature Remote Online Electronic Notary Stamp

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