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FILING INSTRUCTIONS AND PUBLICATION UPDATE

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California Wills & Trusts Forms

Publication 034-893 Release 19B

April 2006

HIGHLIGHTS

Trustee's Power to Make Gifts

- The trustee's gifting powers have been expanded to include gifts for educational and medical expenses under I.R.C. § 2503(e).

Discharge of Support Obligations

- A provision prohibiting the discharge of the trustee's support obligation to a beneficiary from the trust estate has been added.

Transfer of Certain Assets into Revocable Trust

- Information regarding transfer of U.S. Savings Bonds, Treasury accounts, and mobile homes into the revocable trust has been updated.

Notary's Acknowledgment

- The acknowledgment has been changed to conform with new law.

Release 19B is completely up-to-date to reflect all significant 2005 state and federal rulings, regulations, and cases. Highlights of this release include:

Trustee's Power to Make Gifts at Direction of Settlor(s) Expanded. The forms set already includes a provision for the trustee's power to make annual exclusion gifts under I.R.C. § 2503(b). A trustee's power to make gifts for educational and medical expenses under I.R.C. § 2503(e) has been added. See **Alt. 4.90-1** and **Alt. 4.90-2**.

New Alternative to Complete Prohibition on Discharge of Support Obligations. The forms set already includes a complete prohibition of the discharge of support obligations; an alternative provision prohibiting the discharge of only the trustee's support obligation has been added. See new **Alt. 5.590-2** and **Alt. 70.560-2**.

Social Security Numbers Removed. In response to the increased threat of identity theft, the space for indicating the principal's Social Security number has been deleted from the Uniform Statutory Form Power of Attorney. See **DPA 4**. This information was also deleted from the long-form and short-form durable powers of attorney. See **DPA 1** and **DPA 2**.

Trust Transfer Deed Modified. The Trust Transfer Deed has been modified to include more information regarding exclusion from property tax reassessment and inapplicability of the document transfer tax. See **TFD 3**.

Trust Transfer Documents Updated. Information and documents regarding transfer of U.S. Savings Bonds, Treasury accounts, and mobile homes have been updated. See **TFD 26, TFD 27, and TFD 41**.

Notary Acknowledgment. The language of the certificate of acknowledgment has been changed to conform to a new law which requires that, beginning in 2006, the certificate of acknowledgment be in the exact form

set forth in Civil Code § 1189, rather than “substantially” in the form set forth therein. The form set forth in Civil Code § 1189 remained the same, but variations are no longer permitted.

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Publication 034-893 Release 019B

April 2006

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VOLUME 1

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