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WHAT IS A CERTIFICATE OF TRUST AND WHY IS IT IMPORTANT?

A *Certificate of Trust* is a legal document that serves to confirm the existence of a *Trust* and provides important information about its terms and conditions. It is commonly used in *Estate Planning* when a *Trust* is involved.

Below are some key uses of a *Certificate of Trust*:

1. Verification: The *Certificate of Trust* is used to substantiate the existence of a *Trust*. It confirms that the *Trust* has been duly created and is currently in effect. Such confirmation is often required when conducting financial transactions, such as opening a bank account or transferring assets into the *Trust*.

2. Privacy: *Trusts* are private documents, which are not required to be filed in Court unless there is litigation involving the *Trust*. Therefore, disclosing the entire *Trust* to third parties can be burdensome and may infringe on a Grantor's privacy. The *Certificate of Trust* affords a *Grantor* the ability to maintain confidentiality while still disclosing important information about the *Trust*.

3. Trustee Authority, Powers and Duties: The *Certificate of Trust* provides evidence of the Trustee's authority to act on behalf of the *Trust*, including the ability to buy, sell or manage assets held in the *Trust*. It can be presented to banks, financial institutions or other entities to help such third parties understand the scope of the *Trustee's* authority and responsibilities when engaging in transactions involving the *Trust*.

The exact requirements and specific contents of a *Certificate of Trust* may vary depending on the jurisdiction and the *Trust* involved. If you've got an older *Trust*, and no *Certificate of Trust* was prepared at the time you signed it, it might be worthwhile to contact us to discuss our preparation of a *Certificate of Trust* to summarize your *Trust* so you don't have to disclose more information than you'd prefer.



ADAM S. GUMSON is the principal attorney at **JUPITER LAW CENTER**, a neighborhood law firm established in 1988 with a long history of helping clients in the northern Palm Beach County area as well as throughout the entire state of Florida. Adam and his team are innovative in thinking, warm in approach and provide practical, common-sense legal advice. He graduated from *Duke University* (1988) and the *University of Florida College of Law* (1991 with Honors). He has taught Adult Division law classes at *Jupiter High School* and coached JTAA youth basketball and/or football for 30+ years and believes that his involvement in these and numerous other community activities has given him insight into the pulse of the community, enabling him to better serve all of his clients, wherever they may be located. On a personal note, Adam resides in Jupiter with his wife Lissa and three children and is a passionate basketball "junkie" (playing, coaching and watching), golf hacker and movie buff.

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