

## Spousal Access Trusts

A Spousal Access Trust is a Trust that names your spouse as the primary beneficiary of the trust. Often, the spouse will serve as the Trustee of the trust. When your spouse is serving as Trustee, distributions must be limited to his/her health, education, maintenance, and support. Spousal Access Trusts allow you to make gifts that will reduce the size of your estate for estate tax purposes without reducing your spouse's ability to access the income or principal of the trust if circumstances warrant. Because the assets of the trust will not be included in your estate or your spouse's estate for estate tax purposes, you generally do not expect for the trust to actually make distributions to your spouse. However, your spouse's ability to receive distributions to the trust should make your spouse more comfortable with your gifting program.