

WAC 434-120-300 Jurisdiction. A trust is subject to Washington jurisdiction if:

(1) It is created pursuant to a trust instrument that specifies that it is subject to the jurisdiction of the state of Washington or that its terms are to be construed pursuant to the laws of the state of Washington;

(2) It is a testamentary trust, and the will was probated or recorded, or letters testamentary or of administration were granted, in the state of Washington;

(3) The trust was created pursuant to order of a Washington court or by operation of Washington law;

(4) The trust was created by or pursuant to the articles of incorporation of a Washington corporation; or

(5) No state, territory, or nation may assert a superior claim of jurisdiction, and:

(a) The trust was created pursuant to a trust agreement or document executed or recorded within the state of Washington but which does not expressly vest jurisdiction in another state, territory, or nation; or

(b) The trust corpus consists predominantly of property located in or administered from Washington; or

(c) A basis exists upon which to assert or concede jurisdiction in the state of Washington.

[Statutory Authority: Chapters 11.110, 19.09, and 43.07 RCW. WSR 14-17-025, § 434-120-300, filed 8/12/14, effective 9/12/14. Statutory Authority: RCW 11.110.051, 11.110.060 and 11.110.070. WSR 98-18-034, § 434-120-300, filed 8/26/98, effective 9/26/98. Statutory Authority: RCW 11.110.070. WSR 96-08-049, § 434-120-300, filed 4/1/96, effective 5/2/96. Statutory Authority: RCW 11.110.070 and 19.09.315. WSR 95-11-135, § 434-120-300, filed 5/24/95, effective 6/24/95. Statutory Authority: Chapters 34.05, 19.09, 11.110 and 43.07 RCW and 1993 c 471. WSR 94-01-004, § 434-120-300, filed 12/1/93, effective 1/1/94.]