

**GENERAL WILL AND REVOCABLE TRUST DRAFTING**  
**Table of Contents**

<b>I.</b>	<b>INTRODUCTION.....</b>	<b>1</b>
	<b>A. The Effect of Mandatory State Laws on General Will and Revocable Trust Drafting.....</b>	<b>1</b>
	<b>B. The Effect of Default State Laws on General Will and Revocable Trust Drafting.....</b>	<b>2</b>
	<b>C. Drafting Approach.....</b>	<b>2</b>
<b>II.</b>	<b>GENERAL WILL DRAFTING.....</b>	<b>4</b>
	<b>A. In General.....</b>	<b>4</b>
	<b>B. Drafting the Heading.....</b>	<b>5</b>
	<b>C. Drafting the Exordium (Beginning) Clause.....</b>	<b>5</b>
	<b>D. Drafting Identifications.....</b>	<b>5</b>
	<b>E. Drafting Definitions and Constructions.....</b>	<b>6</b>
	<b>F. Drafting for Fiduciaries.....</b>	<b>8</b>
	<b>G. Drafting for the Payment of Debts and Expenses.....</b>	<b>10</b>
	<b>H. Drafting for the Payment of Taxes.....</b>	<b>10</b>
	<b>I. Drafting Pre-Residuary Dispositions.....</b>	<b>11</b>
	<b>J. Issues Involving the Drafting of Various Items of Tangible Personal Property.....</b>	<b>12</b>
	<b>K. Drafting for Abatement.....</b>	<b>13</b>
	<b>L. Drafting Residuary Dispositions.....</b>	<b>13</b>
	<b>M. Drafting for Issues Involving Predeceasing Beneficiaries and Beneficiaries who do not Survive the Testator for a Period of Time.....</b>	<b>14</b>
	<b>N. Drafting a Provision for Minors.....</b>	<b>15</b>
	<b>O. Drafting for Outright Dispositions to Two or More Persons.....</b>	<b>15</b>
	<b>P. Drafting for Class Gifts.....</b>	<b>15</b>
	<b>Q. Drafting General Fiduciary Powers.....</b>	<b>17</b>
	<b>R. Drafting to Allow an Executor Access to Fiduciary Assets.....</b>	<b>17</b>
	<b>S. Drafting to Exercise a Power of Appointment.....</b>	<b>18</b>
	<b>T. Will Execution.....</b>	<b>19</b>
<b>III.</b>	<b>DRAFTING REVOCABLE TRUSTS.....</b>	<b>19</b>
	<b>A. In General.....</b>	<b>19</b>
	<b>B. Drafting the Heading.....</b>	<b>20</b>
	<b>C. Drafting the Introductory Paragraph.....</b>	<b>20</b>
	<b>D. Drafting Trust Name and Family Identifications.....</b>	<b>21</b>
	<b>E. Drafting for the Trust Estate.....</b>	<b>21</b>
	<b>F. Drafting During the Settlor’s Lifetime.....</b>	<b>22</b>
	<b>G. Drafting after the Settlor Dies.....</b>	<b>25</b>
	<b>H. Drafting Trustee Provisions.....</b>	<b>32</b>
	<b>APPENDIX.....</b>	<b>44</b>