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**Testimony of John R. Ivimey  
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**In SUPPORT of the concept in Raised House Bill 6441  
An Act Adopting the Connecticut Uniform Trust Code**

Judiciary Committee  
February 28, 2011

Senator Coleman, Representative Fox, members of the Judiciary Committee, thank you for the opportunity to present this testimony before the committee to comment on Raised Bill No. 6441, An Act Adopting the Connecticut Uniform Trust Code. My name is John R. Ivimey. I am a stockholder of Reid and Riege, P.C., and currently I am Vice Chair of the Connecticut Bar Association's Estates & Probate Section. The Estate and Probate Section supports the adoption of the Uniform Trust Code in Connecticut. We understand that the proposed language in a limited number of sections in Raised Bill 6441 is not final language acceptable to all interested parties. We will work with the Connecticut Banker's Association, the Attorney General's office, the Probate Court Administrator's Office and any other interested party on substitute language.

The bill would enact the Connecticut Uniform Trust Code, which is based on the Uniform Act, initially approved by the National Conference of Commissioners on Uniform State Laws in 2000 and amended several times after that ("UTC"). It is the first national codification of the law of trusts and has already been enacted in the following jurisdictions: Alabama; Arizona; Arkansas; District of Columbia; Florida; Kansas; Maine; Michigan; Missouri; Nebraska; New Hampshire; New Mexico; North Carolina; North Dakota; Ohio; Oregon; Pennsylvania; South Carolina; Tennessee; Utah; Vermont; Virginia; Wyoming. The UTC has been approved by the American Bar Association, the ABA Real Property, Probate and Trust Law Section and AARP.

The Estates and Probate Section of the CBA believes it is vitally important that Connecticut enact the UTC. During the past 20 years, trusts have become an increasingly useful and important estate planning tool. Unfortunately, in Connecticut it is very difficult to determine what law applies to trusts, because Connecticut trust law consists largely of common-law rules set forth in appellate court decisions arising from fact-specific adjudications. Our statutory law of trusts is quite limited and there are large gaps in its coverage. The UTC provides a comprehensive set of rules that fairly, consistently, and clearly govern trusts.

Thank you again for this opportunity to comment on Raised House Bill No. 6441. We will continue to work with the various interested parties on substitute language.