

Who's the Boss? Fiduciary Liability and Directed Trusts

Articles

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Partner **Melissa Osorio Dibble** co-authored the article, "Who's the Boss? Fiduciary Liability and Directed Trusts," that appeared in the Fall/Winter 2022 issue of *Real Property, Trust and Estate Law Journal*, published by the Real Property, Trust and Estate Law Section of the American Bar Association.

Directed Trusts are becoming more and more commonplace. However, many states impose differing fiduciary standards on trustees and those third parties (so-called "trust directors"). This lack of uniformity leads to uncertainty and confusion about fiduciary liability. These uncertainties will likely need to be addressed by the courts. In the meantime, practitioners must use their best efforts to interpret sometimes unclear statutory authority and consider the potential issues in drafting directed trusts and advising clients regarding their administration. This article examines these issues, starting with an introduction of directed trusts, followed by a discussion of governing statutory law.

To read the full article, [click here](#).

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