

**PROBATE COURT OF CLERMONT COUNTY, OHIO
JAMES A. SHRIVER, JUDGE**

IN THE MATTER OF _____

CASE NO. _____

**IRREVOCABLE TRUST AGREEMENT
(WRONGFUL DEATH)**

This Agreement, entered into this _____ day of _____, _____ by and between JAMES A. SHRIVER, PROBATE JUDGE, COURT OF COMMON PLEAS, CLERMONT COUNTY, OHIO, as Grantor pursuant to the statutory authority of Ohio Revised Code Section 2125.03, and _____ as Trustee.

Section 1. Trust Property. The Grantor desires to create a trust authorized by Ohio Revised Code Section 2125.03 for the purpose of receiving the sum of _____. Said sum is the net amount received in an action for wrongful death.

Section 2. Disposition of Trust Property. The sole beneficiary of said trust, _____ (Date of birth _____) is to receive the principal and accumulated undistributed net income from the trust when he/she attains the age of twenty-five (25) years. The Trustee, may, if the beneficiary attends a college, technical school, or other accredited institution of higher education, use the trust estate to pay the tuition, fees room and board, and other expenses associated with the beneficiary attending such school only with the permission of the Court.

Additionally, the Trustee may also apply to the Court for permission to expend such amounts of the accumulated income and/or principal of the trust estate as the Trustee deems

necessary to provide for the beneficiary's health, education, maintenance and support, or to meet any emergency expense of the beneficiary. Funds may be expended for the foregoing items in the paragraph only upon the approval of the Probate Court.

Section 3. Trustee's Responsibility and Authority. The Trustee shall hold the trust funds in the Court approved and designated depository. No bond will be required for funds held in this manner. Funds shall be invested in investments within the bank's total control that comply with Ohio fiduciary investment law (ORC 2109.37, 2109.371, and 2109.372). Evidence of deposits shall be retained by the Probate Court, available for inspection by the Trustee, parent, guardian, and beneficiary, and shall be periodically posted by the depository institution. Annual accounts shall be waived. The Trustee accepts the Trust hereby created and agrees to carry out the provisions herein on her part to be done and performed, without compensation.

Section 4. Miscellaneous. The Trust being created shall be deemed to be an Ohio Trust, and shall be governed by the laws of the State of Ohio.

IN WITNESS WHEREOF, The parties hereto have executed this Agreement in duplicate as of the day and year first above written.

WITNESSES:

JAMES A. SHRIVER, Probate Judge

Trustee

Typed or Printed Name