

386B.4-120 Modification or termination because of unanticipated circumstances or inability to administer trust effectively.

- (1) The court may modify the administrative or dispositive terms of a trust or terminate the trust if, because of circumstances not anticipated by the settlor, modification or termination will further the purposes of the trust. To the extent practicable, the modification shall be made in accordance with the settlor's probable intention.
- (2) The court may modify the administrative terms of a trust if continuation of the trust on its existing terms would be impracticable or wasteful or impair the trust's administration.
- (3) Upon termination of a trust under this section, the trustee shall distribute the trust property in a manner consistent with the purposes of the trust.
- (4) The District Court shall have exclusive jurisdiction over matters under this section.

Effective: July 15, 2014

History: Created 2014 Ky. Acts ch. 25, sec. 34, effective July 15, 2014.