

# BENEFICIARY-GRANTOR TRUSTS: EFFECTIVE PLANNING WITH DEFECTIVE TRUSTS

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# **INTRODUCTION**

## **A history of Internal Revenue Code Sections 671 – 679**

- **Eliminating an income tax strategy**
- **Creating an estate and gift tax strategy**

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# **GRANTOR TRUST RULES**

## **Internal Revenue Codes §§671-679**

- **§671 Trust Income, Deductions, and Credits Attributable to Grantors and Others as Substantial Owners**
- **§672 Definitions and Rules**
- **§673 Reversionary Interests**
- **§674 Power to Control Beneficial Enjoyment**
- **§675 Administrative Powers**

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# GRANTOR TRUST RULES CONTINUED

## Internal Revenue Codes §§671-679

- §676 Power to Revoke
- §677 Income for Benefit of Grantor
- §678 Persons Other Than Grantor Treated as Substantial Owners
- §679 Foreign Trusts Having One or More United States Beneficiaries (Not discussed as part of this article)

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# USING GRANTOR TRUSTS

- Intentionally Defective Grantor Trusts
  - Settlor Intentionally Defective Grantor Trust (“SIDGT”)
  - Beneficiary Intentionally Defective Grantor Trust (“BIDGT”) aka Beneficiary Defective Inheritor’s Trust (“BDIT”)
  - Beneficiary Deemed Owner Trust (“BDOT”)

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