

Table 6
States with No Statutes Addressing Spendthrift Trusts

State	Citation	Case Summary
Maryland	<i>Houghton v. Tiffany</i> , 82 A. 831 (Md.1911); <i>Brown v. McGill</i> , 39 A. 613 (Md. 1898).	Spendthrift trusts which secure income and principal against creditors are valid, but one may not create such a trust in his own favor.
	<i>Zouck v. Zouck</i> , 204 Md. 285, 105 A.2d 573 (Md. 1954)	Where father by separation agreement agreed to support child of the parties and court found amount to be fair and reasonable and so decreed that agreement be enforced, court was justified in decreeing out of spendthrift trust created for the husband, payment of income and principal to make up the arrearages under agreement and for deposit of balance of husband's share of trust estate in registry of court subject to its further order, though future order should not require the holding of more than enough to meet the weekly payments until the child reached her majority.
	<i>Duvall v. McGee</i> , 375 Md. 476, 826 A.2d 416 (Md. 2003)	Judgment creditor, personal representative of murder victim's estate, could not invade principal of spendthrift trust to satisfy judgment against tort-feasor beneficiary.
	<i>Safe Deposit & Trust Co. of Baltimore v. Robertson</i> , 192 Md. 653, 65 A.2d 292 (Md. 1949)	The rule prohibiting attachment in cases of spendthrift trusts would be relaxed upon ground of public policy so as to authorize attachment of income of spendthrift trusts for benefit of divorced husband for payment of wife's judgment against husband for arrears in payment of alimony.
Massachusetts	<i>Krokyn v. Krokyn</i> , 390 N.E.2d 733 (Mass. 1979)	It is not error for court to exert reasonable pressure, including adjudication of contempt, to encourage husband to exercise ingenuity in managing his affairs so as to fulfill his paramount support obligations under divorce decree; neither court nor aggrieved obligee should be required to map in detail method by which contemnor will transform an asset into cash; law does not require that obligor be allowed to enjoy an asset, such as valuable home or beneficial interest in spendthrift trust, while he neglects to provide for those persons whom he is legally required to support.
	<i>Ware v. Gulda</i> , 117 N.E.2d 137 (Mass. 1954)	"The established policy of [Massachusetts] long has been that a settlor cannot place property in trust for his own benefit and keep it beyond the reach of creditors."
	<i>Buckman v. Buckman</i> , 294 Mass. 214, 200 N.E.2d 918 (Mass. 1936)	No exception for child support or alimony.

State	Citation	Case Summary
	<i>Haskell v. Haskell</i> , 125 N.E. 601 (Mass. 1920)	Restraints on alienation of property by way of spendthrift trusts are void as limitations attached to legal interests, and valid as respects equitable fees in real estate and interests in personal property.
Michigan	<i>Matter of Estate of Edgar</i> , 425 Mich. 364, 389 N.W.2d 696 (Mich. 1986)	Spendthrift trust which purports to give same beneficiary interest in both income and principal is valid
	<i>Fornell v. Fornell Equipment, Inc.</i> , 213 N.W.2d 172 (Mich. 1973)	Spendthrift provisions are generally valid in Michigan, but a person cannot create a true spendthrift trust for himself.
	<i>Evans & Luptak v. Obolensky</i> , 194 Mich. App. 708, 487 N.W.2d 521 (Mich. App., 1992)	Income from spendthrift trust is subject to post-judgment execution proceeding for services rendered and materials furnished which preserve or benefit the beneficiary's interest in the trust.
	<i>Coverston v. Kellog</i> , 136 Mich. App. 504, 357 N.W.2d 705 (Mich. App., 1984)	Spendthrift trust income could be attached to pay beneficiary's former wife's alimony claim.
	<i>Preminger v. Union Bank & Trust Co., N.A.</i> , 220 N.W.2d 795 (Mich. App. 1974)	Trust settlor can validly restrict voluntary or involuntary alienation of principal during life interest of income beneficiary, provided that right to principal does not vest in the income beneficiary.
Minnesota	<i>Lamberton v. Lamberton</i> , 38 N.W.2d 72 (Minn. 1949)	The rule that principal and interest of valid spendthrift trust are free from claims of creditors and are protected in transmission until actually paid over to beneficiary applies to obligations for alimony and support money.
Vermont	<i>Huestis v. Manley</i> , 8 A.2d 644 (Vt. 1939)	Neither the corpus nor the income of a spendthrift trust while in the hands of the trustees is subject to attachment or trustee process in action at law by a creditor of the beneficiary.

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