How to Use This Acceptance of Trusteeship

Remove this instruction page before you sign.

1. **Sign this form before you act as trustee** (before you open accounts, sell property, or pay bills from the trust). It is your formal written acceptance of the job.
2. **Fill in every item in [BRACKETS]** with the exact information from the trust agreement, then delete the brackets and any optional lines that do not apply.
3. **If two people are serving as co-trustees, each person signs a separate Acceptance.**
4. **Do not sign yet.** Sign in front of a notary, who will complete the bottom portion. Bring a photo ID.
5. Keep the signed original with the trust papers. Give copies, along with the Certificate of Trust and a certified death certificate, to banks and companies that ask for proof that you are the trustee.
6. Not sure you want to serve? **You do not have to accept.** Do not sign this form or take any action with trust assets until you decide. Your attorney can help you think through your options.

Questions? If you have any legal questions about this form, or need legal advice about how to complete, sign, or use it, please contact an attorney of your choice.

IMPORTANT NOTICE – PLEASE READ

This form, the related successor trustee forms, and the guide "Understanding Your Role as Successor Trustee" (together, the "Materials") are provided by Mazenko Law Firm only as a courtesy and for general informational purposes. You may use them if you choose to. They are not legal advice and are not a substitute for advice from your own attorney about your situation.

No trust administration services. Mazenko Law Firm does not typically provide trust administration services. The firm provides trust administration services only to a person who has signed a written fee agreement with Mazenko Law Firm that expressly covers those services, and only to the extent that fee agreement describes. Unless and until such a fee agreement has been signed, Mazenko Law Firm and Todd Mazenko do not represent you; do not provide you with any trust administration services, legal services, legal advice, or legal opinions of any kind; and have no attorney-client relationship with you, whether in connection with the trust administration or otherwise. This is true even if Mazenko Law Firm prepared the trust or represented the person who created it, and regardless of whether you have received, downloaded, or used the Materials, visited our website, or communicated with our office by phone, email, or any other means. Nothing in the Materials, and nothing said or written in any communication with our office, is legal advice or a legal opinion about your situation.

No warranty or guarantee. The Materials are provided "as is," without any warranty or guarantee of any kind, express or implied. Mazenko Law Firm does not guarantee that the Materials are accurate, complete, current, valid, legal, or enforceable; that they are suitable for your trust, your situation, or any particular purpose; or that any bank, title company, government office, or other person will accept them. Laws change and every trust is different.

Use at your own risk. You alone are responsible for deciding whether to use the Materials, for how you fill them out, sign, and use them, and for having them reviewed by your own attorney. To the fullest extent permitted by law, Mazenko Law Firm, Todd Mazenko, and the firm's attorneys, employees, and agents shall not be liable for any claim, loss, damage, cost, or expense of any kind (whether direct, indirect, incidental, consequential, or otherwise) arising out of or related to the use of, reliance on, or inability to use the Materials, and by using the Materials you release them and agree to hold them harmless from any such claim. By using the Materials, you agree to these terms.

ACCEPTANCE OF TRUSTEESHIP
for the
[FULL NAME OF TRUST]

I, **[FULL NAME OF SUCCESSOR TRUSTEE]**, whose address is **[STREET ADDRESS, CITY, STATE, ZIP CODE]**, state as follows:

1. **[FULL NAME OF PERSON WHO CREATED THE TRUST]** (the "Settlor") created the **[FULL NAME OF TRUST]** (the "Trust") under a trust agreement dated **[DATE TRUST WAS SIGNED] [, as amended on [DATE(S) OF ANY AMENDMENTS – delete if none]**] (together with any amendments, the "Trust Agreement").

2. The Settlor died on **[DATE OF DEATH]**, while a resident of **[COUNTY]** County, **[STATE]**. Upon the Settlor's death, the Trust became irrevocable.

3. The Trust Agreement names me to serve as successor trustee of the Trust upon the Settlor's death. **[If anyone was named ahead of you as successor trustee, add: Each person named in the Trust Agreement to serve as successor trustee before me has died, resigned, or is otherwise unable or unwilling to serve. – otherwise delete]**

4. I have received and reviewed a copy of the Trust Agreement.

5. Pursuant to Section 736.0701, Florida Statutes, and the terms of the Trust Agreement, I hereby accept my appointment as successor trustee of the Trust, effective as of the date I sign this Acceptance **[or, if you began serving earlier: effective as of DATE]**.

6. I agree to administer the Trust in good faith, in accordance with its terms and purposes and the interests of the beneficiaries, and in accordance with the Florida Trust Code.

7. I understand that, under Section 736.0813, Florida Statutes, I must notify the qualified beneficiaries of the Trust of my acceptance of the trusteeship, of my full name and address, and that the fiduciary lawyer-client privilege in Section 90.5021, Florida Statutes, applies with respect to the trustee and any attorney employed by the trustee, within 60 days after accepting, and that I have other duties to keep the beneficiaries reasonably informed about the Trust and its administration.

IN WITNESS WHEREOF, I have signed this Acceptance of Trusteeship, and declare under oath that the facts stated in it are true, as of the date of the notary's acknowledgment below.

_____
[FULL NAME OF SUCCESSOR TRUSTEE],
Successor Trustee

STATE OF _____
COUNTY OF _____

Sworn to (or affirmed) and subscribed before me by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 20____, by **[FULL NAME OF SUCCESSOR TRUSTEE]**, as Successor Trustee of the **[FULL NAME OF TRUST]**, who ☐ is personally known to me or ☐ produced _____ as identification.

_____
Notary Public

Print name: _____

My commission expires: _____

(Notary Seal)

This instrument prepared by and return to:

Name: _____

Address: _____

_____