# How to Use This Notice to Beneficiaries

*Remove this instruction page before you sign.*

1. **Send this notice within 60 days** after you sign your Acceptance of Trusteeship. Florida law requires it.
2. **Send a separate notice to each qualified beneficiary.** Generally, these are the people currently eligible to receive distributions from the trust and the people who would receive trust property if the trust ended today. If you are not sure who qualifies, or if a beneficiary is a minor or incapacitated, consult an attorney.
3. **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.
4. No notary is needed. **Sign and date each notice**, and keep a copy of each one for your records.
5. **Mail it by first-class mail** (certified mail with a return receipt gives you better proof), deliver it by hand, or email it only if the beneficiary has agreed in writing to receive notices by email. Complete the Proof of Delivery on your copy.
6. If a beneficiary asks for a copy of the trust, you must provide a complete copy. You must also provide trust accountings at least once a year and when the trust ends, unless the beneficiary waives them in writing.

**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.

# NOTICE TO QUALIFIED BENEFICIARIES

**of Trustee's Acceptance and of Trust's Existence**

*(Section 736.0813(1)(a) and (b), Florida Statutes)*

Date: **[DATE YOU MAIL THIS NOTICE]**

To:**[FULL NAME OF BENEFICIARY]**
**[STREET ADDRESS]**
**[CITY, STATE, ZIP CODE]**

Re:**[FULL NAME OF TRUST]** dated **[DATE TRUST WAS SIGNED]** (the "Trust")

You are receiving this notice because you are a qualified beneficiary of the Trust. Section 736.0813, Florida Statutes, requires the trustee to give you the following information.

1. **Existence of the Trust.** The Trust was created under a trust agreement dated **[DATE TRUST WAS SIGNED] [, as amended on [DATE(S) OF ANY AMENDMENTS – delete if none]**]. The Trust was revocable during the settlor's lifetime and became irrevocable upon the settlor's death on **[DATE OF DEATH]**.

2. **Identity of the Settlor.** The settlor of the Trust (the person who created the Trust) is **[FULL NAME OF PERSON WHO CREATED THE TRUST]**, deceased.

3. **Acceptance of the Trust by the Trustee.** On **[DATE ACCEPTANCE WAS SIGNED]**, the undersigned accepted the trusteeship of the Trust as successor trustee. The full name and address of the trustee are:

   **[FULL NAME OF SUCCESSOR TRUSTEE]**
   **[STREET ADDRESS, CITY, STATE, ZIP CODE]**
   **[Optional: TELEPHONE NUMBER and EMAIL ADDRESS]**

4. **Right to Request a Copy of the Trust Instrument.** You have the right to request a complete copy of the trust instrument. To make a request, write to the trustee at the address above.

5. **Right to Accountings.** You have the right to receive trust accountings as provided in Section 736.0813, Florida Statutes. A trust accounting will be provided to you at least annually and upon termination of the Trust or a change of trustee, unless you waive this right in writing. You may withdraw a waiver in writing at any time.

6. **Right to Information.** Upon reasonable request, the trustee will provide you with relevant information about the assets and liabilities of the Trust and the particulars relating to the administration of the Trust.

7. **Fiduciary Lawyer-Client Privilege.** The fiduciary lawyer-client privilege in Section 90.5021, Florida Statutes, applies with respect to the trustee and any attorney employed by the trustee. This means that communications between the trustee and any attorney the trustee hires are confidential, and that attorney represents the trustee, not you.

This notice is given in my capacity as trustee and is not legal advice to you. You may wish to consult an attorney of your own choosing about your rights as a beneficiary.

_____

**[FULL NAME OF SUCCESSOR TRUSTEE]**,
Successor Trustee

**[FULL NAME OF CO-TRUSTEE, if any – add a second signature line or delete]**

**PROOF OF DELIVERY** (complete on the trustee's file copy only)

I certify that on _____, 20____, I sent a copy of this notice to the beneficiary named above by ☐ first-class U.S. mail ☐ certified mail, return receipt requested ☐ hand delivery ☐ email (only if the beneficiary agreed in writing to receive notices by email), to the address shown above.

_____

Successor Trustee