

386B.12-100 No duty to monitor, inform, or advise.

- (1) Unless the terms of a trust provide otherwise:
 - (a) The trustee shall not have a duty to:
 - 1. Monitor a trust director; or
 - 2. Inform or give advice to a settlor, beneficiary, trustee, or trust director concerning an instance in which the trustee might have acted differently than the director; and
 - (b) By taking an action described in paragraph (a) of this subsection, a trustee does not assume the duty excluded by paragraph (a) of this subsection.
- (2) Unless the terms of a trust provide otherwise:
 - (a) The trust director shall not have a duty to:
 - 1. Monitor a trustee or another trust director; or
 - 2. Inform or give advice to a settlor, beneficiary, trustee, or another trust director concerning an instance in which the director might have acted differently than a trustee or another director; and
 - (b) By taking an action described in paragraph (a) of this subsection, a trust director does not assume the duty excluded by paragraph (a) of this subsection.

Effective: July 15, 2026

History: Created 2026 Ky. Acts ch. 134, sec. 79, effective July 15, 2026.