

**Fee Statutes by State
(in Absence of Trust Provision or Other Agreement)**

Note: States marked “Reasonable compensation” have statute based on UTC provision, unless otherwise noted

Alabama	Al. Code §19-3B-708	Reasonable compensation; disclosure of affiliate comp required
Alaska	AS § 13.36.055	Reasonable compensation (not UTC)
Arizona	AS § 14-10708	Reasonable compensation
Arkansas	Ark.Code §28-73-708	Reasonable compensation
California	Ca.Trust Law § 15680	Reasonable compensation (not UTC) with factors per court rules
Colorado	CRS §§ 15-10-602 and 603	Reasonable compensation, with factors (applicable to all fiduciaries, not just trustees) (not UTC)
Connecticut	None	Common law rule of reasonable compensation
Delaware	Del. Code §12-3561	Reasonable compensation but qualified (corporate) trustees required to file fee schedules with Register of Chancery, others to be set by Court of Chancery Rule 132 (see attached Exhibit)
Florida	FS §736.0708	Reasonable compensation
Georgia	OCGA §53-12-210	Sliding scale of percentage fees annually on AUM and 1% on funding value of assets received
Hawaii	HRS § 607-18	Corp fiduciary fee schedule presumed reasonable; individual trustee 1% of fair market value at inception; annual fee 5% of trust income and sliding scale of percentage fees on AUM; 1% termination fee
Idaho	IS § 68-103	Trustee entitled to same compensation as executor. IS § 15-3-719 provides that a personal representative is entitled to reasonable compensation.
Illinois	760 ILS 5/7	Reasonable compensation (not UTC)
Indiana	IC §§ 30-4-5-16	Reasonable compensation (not UTC)
Iowa	ITC Ch. 633A §4109	Reasonable compensation (not UTC)
Kansas	KUTC § 58a-708	Reasonable compensation
Kentucky	KRS § 386B.7-080	Reasonable compensation
Louisiana	La. Civil Code §2181	Reasonable compensation (not UTC)
Maine	Title 18-B, § 708	Reasonable compensation, modified with factors the court may consider
Maryland	Md. Code § 14-103	Sliding scale of percentage fees for income and annual AUM; reasonable compensation per schedule

		filed by financial institution or member of the MD Bar
Massachusetts	Mass. Gen. L.203E § 708	Reasonable compensation
Michigan	Mich. Laws § 700.7708	Reasonable compensation
Minnesota	MN § 501C.0708	Reasonable compensation
Mississippi	MS Code § 91-8-708	Reasonable compensation; corporate fee schedule deemed reasonable
Missouri	MS § 456.7-708	Reasonable compensation
Montana	Mont.Code § 72-38-708	Reasonable compensation
Nebraska	NS § 30-3864	Reasonable compensation
Nevada	NS § 153.070	As court deems just and reasonable
New Hampshire	NHS § 564-B:7-708	Reasonable compensation
New Jersey	NJS Chapter 3B (multiple sections) 3B:18-2 et seq.	Different rules for testamentary and inter vivos trustees; Generally, percentage fees on both income received and AUM; Individual trustee to receive annual commissions on AUM .50% on first \$400,000 and .30% on amounts in excess; termination fee as percentage of AUM and length of trust; corporate fiduciary to receive reasonable fee (NJ proposal for UTC omits 708)
New Mexico	NMS § 46A-7-708	Reasonable compensation
New York	SCPA §2309	Sliding scale of percentage fees on AUM annually and 1% on distributions; reasonable compensation for corporate fiduciaries
North Carolina	NC GS §36C-7-708	Reasonable compensation as determined under GS §32-54, with mandatory factors for consideration
North Dakota	ND Code § 59-15-08	Reasonable compensation
Ohio	Oh Code § 5807.08	Reasonable compensation
Oklahoma	OK St § 60-175.48	Reasonable compensation for services rendered and responsibilities assumed (not UTC)
Oregon	ORS 130.635(1)	Reasonable compensation; fees paid to third party performing trustee functions may reduce trustee fee
Pennsylvania	20 Pa. C.S. §7768	Reasonable compensation; added factors a court may consider
Rhode Island	RI Gen.L. § 18-6-1	Reasonable compensation (not UTC)
South Carolina	SC Code § 62-7-708	Reasonable compensation
South Dakota	SDC § 55-3-14	Reasonable compensation (not UTC); no more than specified in document
Tennessee	TC § 35-15-708	Reasonable compensation; required factors for court to consider; corporate trustee fee schedule presumed reasonable
Texas	TPC § 114.061	Reasonable compensation (not UTC)
Utah	UC § 75-7-708	Reasonable compensation; no specific reference to

		adjustment
Vermont	14A VS § 708	Reasonable compensation with required factors
Virginia	VC § 64.2-761	Reasonable compensation (but see §64.2-1208 and Fairfax Co. rules as an example)
Washington	WC § 11.98.070(26)	Reasonable compensation considering all circumstances including the time, effort, skill, and responsibility involved in the performance of services by the trustee
West Virginia	WVS § 44D-7-708	Reasonable compensation
Wisconsin	WS § 701.0708	Reasonable compensation
Wyoming	WS § 4-10-708	Reasonable compensation (with modification for notice of change in compensation)