

633A.2206 Reformation — tax objectives.

1. The court may reform the terms of the trust, even if unambiguous, to conform to the settlor's intent if it is proved by clear and convincing evidence that the settlor's intent and the terms of the trust were affected by a mistake of fact or law whether expressed or induced.

2. The terms of the trust may be construed or modified, in a manner that does not violate the settlor's probable intent, to achieve the settlor's tax objectives.

99 Acts, ch 125, §19, 109

C2001, §633.2206

2002 Acts, ch 1107, §5; 2005 Acts, ch 38, §54

CS2005, §633A.2206

Referred to in §633A.2201