

**637.606 Petition to court to convert trust.**

1. If any trustee desires to do any of the following but does not have the ability to or elects not to do so under the provisions of section 637.602 or 637.604, the trustee may petition the court for such order as the trustee deems appropriate:

- a. Convert an income trust to a total return unitrust.
- b. Reconvert a total return unitrust to an income trust.
- c. Change the percentage used to calculate the unitrust amount or the method used to determine the fair market value of the trust.

2. If, however, there is only one trustee of such trust and such trustee is an interested trustee or in the event there are two or more trustees of such trust and a majority of them are interested trustees, the court, in its own discretion or upon the petition of such trustee or trustees or any person interested in the trust, may appoint a disinterested person who, acting in a fiduciary capacity, shall present such information to the court as necessary to enable the court to make its determinations.

2002 Acts, ch 1086, §10, 21; 2013 Acts, ch 30, §261

Referred to in §637.613

[T] Code editor directive applied