

**633A.4702 Discretionary language prevails over other standard.**

In the absence of clear and convincing evidence to the contrary, language in a governing instrument granting a trustee discretion to make or withhold a distribution shall prevail over any language in the governing instrument indicating that the beneficiary may have a legally enforceable right to distributions or indicating a standard for payments or distributions.

[2004 Acts, ch 1015, §30](#)

C2005, §633.4702

[2005 Acts, ch 38, §54](#)

CS2005, §633A.4702