

Article - Estates and Trusts

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§14.5–505.

(a) In this section, “child” includes any person for whom an order or a judgment for child support has been entered in this State or another state.

(b) Subject to the provisions of § 14.5–502 of this subtitle, the interest of a beneficiary that is subject to either a spendthrift provision or a support provision or both can be reached in satisfaction of an enforceable claim against the beneficiary by the following:

(1) A child, spouse, or former spouse of the beneficiary that has a judgment or court order against the beneficiary for support or maintenance;

(2) A judgment creditor that has provided services for the protection of the interest of a beneficiary in the trust; or

(3) A claim of this State or the United States to the extent a statute of this State or federal law so provides.

(c) (1) A claimant described in subsection (b) of this section may obtain from a court an order attaching present or future distributions to or for the benefit of the beneficiary.

(2) The court may only order the trustee to satisfy all or part of the judgment out of payments of income or principal as they become due.

(3) The court may limit the award to such relief as is appropriate under the circumstances, considering among any other factors determined appropriate by the court:

(i) The support needs of the beneficiary’s spouse, former spouse, and dependent children;

(ii) The support needs of the beneficiary; or

(iii) With respect to a beneficiary that is the recipient of public benefits, the supplemental needs of the beneficiary if the trust was not intended to provide for the basic support of the beneficiary.

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