
TRUST TERMINATION

POLK COUNTY
PROBATE OFFICE
1005 W. MAIN STREET, SUITE 500
BALSAM LAKE, WI 54810

HOURS:
MONDAY – FRIDAY
8:30 AM – 4:30 PM

PHONE: 715-485-9238

NOTE: This guideline is provided only as a public service and is not meant to be legal advice. The Register in Probate office cannot give legal advice; please contact an attorney if you have legal questions.

WHEN IT IS DETERMINED THAT THE TRUST CAN BE TERMINATED:

1. Obtain the trust termination forms packet from the Register in Probate office.
2. Complete the **final** Trustee's Account or Corporate Trustee's Account.
3. Complete the forms as requested and file the entire forms packet with the Register in Probate office within 90 days of receipt of the packet.
4. Complete the final fiduciary tax returns; file them with the Wisconsin Department of Revenue and request the Closing Certificate. See the Closing Certificate for Fiduciaries section below.

FORMS TO COMPLETE TO TERMINATE A TRUST: file with the Register in Probate:

District form	Petition for Termination of Trust
District form	Affidavit of Trustee
District form	Waiver and Consent (see note below)
PR – 1938	Trust Receipt
PR – 1935	Corporate Trustee's Account <i>OR</i>
PR – 1937	Trustee's Account

NOTE: if you are unable to obtain Waiver and Consents from all trust beneficiaries, a hearing is required. Contact the Register in Probate office for scheduling.

CLOSING CERTIFICATE FOR FIDUCIARIES:

Closing Certificate for Fiduciaries – this form is requested when the final Fiduciary Tax Return (Form 2) is filed with the Wisconsin Department of Revenue. The form can be obtained from your accountant, by calling the Wisconsin Department of Revenue at (608) 266-2772, or www.dor.state.wi.us/html/taxfid.html.

NOTE: The Wisconsin Department of Revenue will mail the closing certificate to the address listed on the return approximately 6 – 8 weeks after the final return is filed. Please keep this time frame in mind when completing the forms listed above.

FORMS: additional/duplicate state forms can be found at: www.wicourts.gov

WHAT HAPPENS WHEN ALL OF THE ABOVE DOCUMENTS ARE FILED?:

Once all of the above documents are filed and approved by the Court, the trust will be terminated, the Trustee will be discharged, and the file will be closed.