



WHAT IS THE DIFFERENCE BETWEEN A DOMESTIC AND FOREIGN ASSET PROTECTION TRUST?

Other than their geographic location and specific legislation, the primary difference is that the Trustee of a foreign APT is not subject to the laws of any state in the United States of America. There is a concern that the United States Constitution may require an asset protection state to honor judgments from her sister states. The widely-held view is that this will not be the case. However, as of 2024, no case has examined this issue. Establishing an APT outside the United States should eliminate this possible risk.