

**ANALYSIS OF 2009 AMENDMENTS TO THE
DELAWARE STATUTORY TRUST ACT**

By *Matthew J. O'Toole, Esquire* and *Robert L. Symonds, Jr., Esquire*
Stevens & Lee
Wilmington, Delaware

No substantive amendments to the Delaware Statutory Trust Act, 12 *Del. C.* § 3801 *et seq.* (the "Act"), were enacted in 2009. Changes to fee-related provisions represent the only 2009 amendments to the Act. These changes were contained in Delaware State House Substitute No. 1 for House Bill No. 267 as amended by House Amendment No. 2. 77 *Del. Laws, c. 78*, §§ 59-64. The revisions to the Act adjusted a number of different fees payable to the Delaware Secretary of State under the Act, such as the fee for the issuance of a good standing certificate and the fee for a certified copy of a filed document. In addition, pursuant to a new provision added to Section 3813(b)(1) of the Act, 30-minute expedited service is now available from the Secretary of State, for a considerable fee. The changes to the Act became effective August 1, 2009. 77 *Del. Laws, c. 78*, § 69. The fee for filing a certificate of trust, to form a Delaware statutory trust, was unchanged.