

# Simultaneous Death & Spendthrift

**Uniform Simultaneous Death Act** – When the insured and the primary beneficiary are killed as the result of the *same accident* and it cannot be determined who died first, the proceeds will be paid *as if the insured died last*.

**Note:** *Insured died last* is the same as saying that the *beneficiary died first*.

**Common Disaster Provision** – Requires that the beneficiary outlive the insured by a certain number of days in order for that beneficiary to receive the benefit.

**Spendthrift Trust Clause** – Protects the beneficiary against his/her own creditors; does not apply to proceeds paid in a lump sum; states that distributions paid in installments may not be assigned, transferred or attached in any way.