

Welcome To.

The Ins and Outs of Special Needs Trusts:
How to Make Sure Your Loved One is Cared for When
You're Gone



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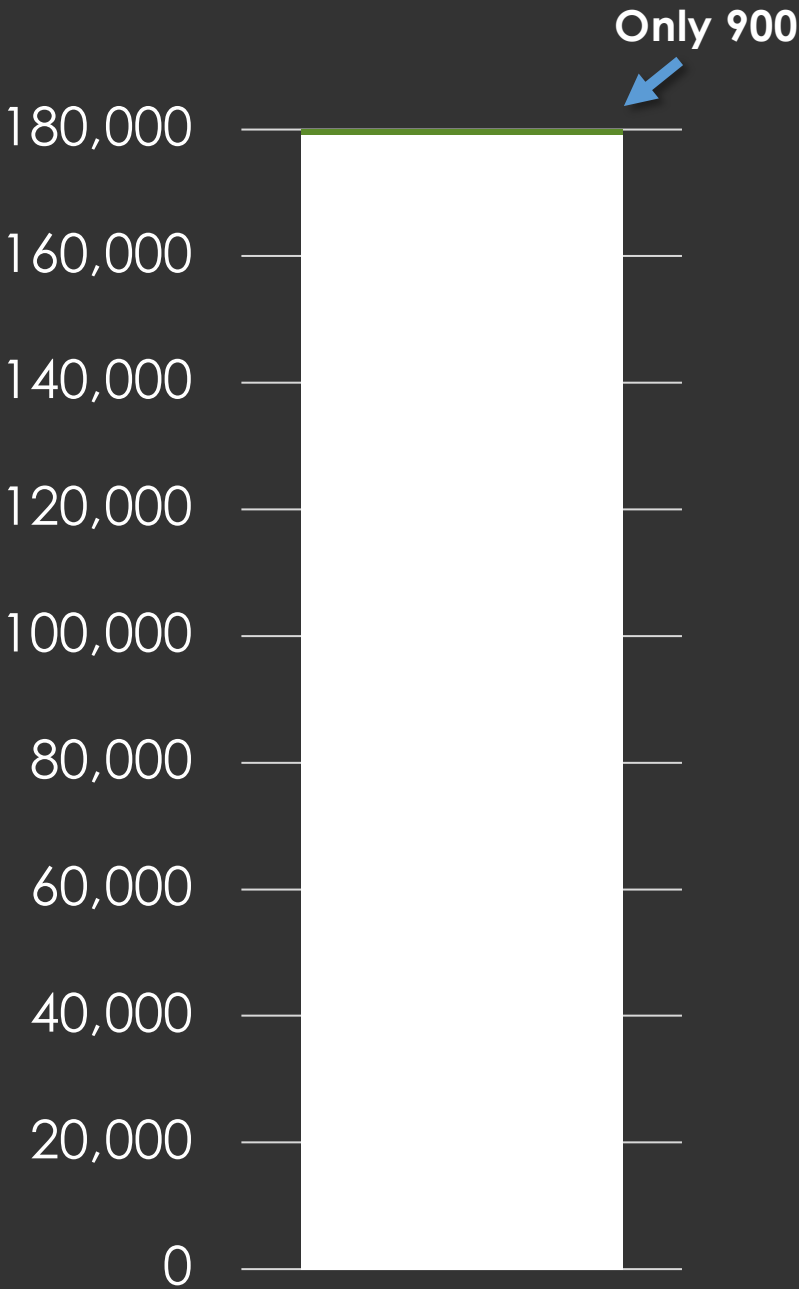
State Bar Certified Specialist in Estate Planning, Trust and Probate Law

For nearly a decade, Stephen has prepared hundreds of estate plans and administered countless trusts. Through his experience, he has gained valuable insight into how to craft a top-notch estate plan that avoids the common pitfalls others make.

Stephen doesn't view estate planning as a transaction, but a relationship.



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WOOD LAW
— WILLS & TRUSTS —

What is Estate Planning?

NOW

Control your assets while you are alive and well.

INCAPACITY

Take care of yourselves and your loved ones should one or both of you become seriously ill or incapacitated.

DEATH

Upon your passing, give what you have:

- To whom you want,
- When you want,
- In the way you want so your loved ones are protected and provided for.

Accomplish all of the above while avoiding the hassles and delays of court involvement (Probate Court); and while saving every last tax dollar and professional fee legally possible.

How a Trust Works

Grantors



Trustee



Beneficiary

How do I ensure my beneficiary has the best quality of life possible in the event of my incapacity or death?

How do I protect my beneficiary from losing their needs based government benefits?

How do I protect my beneficiary who cannot manage money?

How do I protect my beneficiary from third parties?

How can I ensure family harmony?

How do I select a Trustee for a special needs trust?

A blurred background image showing a crowd of people with their hands raised, suggesting a presentation or a meeting. The image is split into a light-colored left half and a dark-colored right half.

Summary



- Objectives of a Special Needs Trust (“SNT”)
- Types of SNTs
- How a SNT Works
- Selecting a Trustee

Objectives of a SNT

Gifting assets to those with Special Needs requires something special. ***They deserve it.***

PROVIDE them the best quality of life possible,
WITHOUT disrupting public benefits
WHILE protecting them from themselves and/or third parties



1st Party
and
3rd Party

Types of
SNTs

- Must be under 65 and have a disability as defined by Social Security
- Can be set up by parent, grandparent, court or by the beneficiary (Special Needs Trust Fairness Act)
- Pay back provision
- **ABLE Account (Now in CA!)**

1st Party SNT

Funded by beneficiary with their OWN assets (e.g., accumulated assets, court settlement, etc...)

[LOG IN](#)[OPEN AN ACCOUNT](#)[MENU ▼](#)[Be a CalABLE Ambassador](#) [▶ Learn More](#)

Save & invest for the future without affecting public benefits.

Tax-free treatment on earnings and withdrawals
to pay for disability-related expenses.

[OPEN AN ACCOUNT](#)

calable.ca.gov

- Individuals with a disability that occurred before age 26 are eligible to open a CalABLE account.
- Eligible individuals, family, friends and employers can contribute up to \$15,000 a year without affecting the account beneficiary's public disability benefits.
- In addition to the \$15,000, account owners who are employed can contribute an amount equal to their current year gross income up to an additional \$12,140
- If the account owner receives SSI benefits, a balance of \$100,000 or less in the account will have no effect on SSI.

ABLE Accounts at a glance

- \$100,000 or more will effect SSI benefits, but not Medi-Cal
- Growth is tax free
- Savings can be used on “qualified expenses”
- Have different investment options to choose from

ABLE Accounts at a glance

- Can be set up anyone but the beneficiary
- Incorporated in your trust or will
- No Payback provision – you direct where the assets go
- With properly drafted SNT, can ensure tax deferral of Retirement Accounts for a maximum of 10 years.

3rd Party SNT

Funded with gifts made during life and/or at death



Letter of Intent



No. 1 quality of a
Trustee is Trust

Selecting a Trustee

Three Duties of a Trustee



FINANCIAL



PERSONAL NEEDS
AND ADVOCACY



ACCOUNTABILITY





Care Manager



- Ideal for beneficiary with severe health care needs or intellectual disability
- Care Manager manages care and advises the trustee on distributions
- The SNT provides guidelines for working with a Care Manager

A green graphic consisting of two horizontal lines with short vertical segments at each end, forming an open rectangular frame.

Trust Protector

- What if laws change after you become incapacitated or die?
- What if all your trustees predecease you?

A green bracket graphic consisting of two horizontal lines with short vertical end caps, framing the text.

Co-Trustees

- Good option for smaller trusts
- Two people working together (that you feel would work well with each other)



Find an attorney you can trust and be a resource for you. You deserve to have a relationship with someone who's just as interested in your plan succeeding as you are.

A relationship is supposed to mean something.

What should you do?



Our process

Schedule your complementary consultation

Questionnaire gets it in motion

Attend your complementary consultation

Understanding your needs

Review call

Review drafted documents

Signing Meeting

Sign your estate plan



**KEEP
CALM
AND
ASK
QUESTIONS**



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