



# NEWSLETTER

## SPEAKER MEETING: Special Needs Trust



### **Financial Options For Your Disabled Loved One**

**Presenters:**

*Barbara Loebner, an experienced attorney and Certified Specialist in Estate Planning, will discuss the importance of basic estate plan documents to managing your long-term needs and those of your children.*

Wednesday, Jan 16, 2018  
 6:30 to 7:00 Meet and Greet  
 7:00 to 8:30 Program & Q/A  
 Live Oak Senior Center  
 1777 Capitola Road, Santa Cruz  
 (Near 17th Ave)

**Bring your questions about estate planning, trusts, and more!**



**Topics:**

- Wills, revocable vs. irrevocable trusts
- Pros and Cons of a Special Needs Trusts (SNT)
- How is SSI, HUD subsidized, and Section 8 housing benefits affected?
- Can a trust cover medical, housing, and/or support services?

**FIND OUT ABOUT:**

- ❖ The role of a trustee and the pros/cons of selecting family vs. non-family members in this role.
- ❖ Define trustor, trustee and beneficiary roles.
- ❖ Explanation of the ABLE (Achieving a Better Life Experience) Act, and its current status, and how it works.
- ❖ What are personal support services, who/how they are provided to the ill family member and the pros/cons of alternatives.
- ❖ What is the Proxy Parent Foundation - and discuss the pros/cons.
- ❖ What is the financial power of attorney? When/how/if should be used with an ill family member?
- ❖ What is a medical directive? When/how/if it should be used with an ill family member?



# SPECIAL NEEDS TRUSTS And More!

## ***Your Questions Answered!***

The main reason to have a will that clearly spells out your directives for the care of your ill loved one, is to ensure it is entrusted to someone who will fulfill your wishes. If you die intestate, (without a will) your assets will go into probate, which takes time, is expensive, and makes it less likely your loved one will be cared for in the specific the way you outlined.

In addition to a will, you can set up a trust while you are living or to go into effect when you die. A revocable trust can be changed and modified as often as you wish. An irrevocable trust cannot be changed or modified. There are reasons for each but the revocable trust leaves you with the most flexibility should circumstances change.



**ABLE (CalAble)** The ABLE account was recently signed into law and is another way someone with a disability can work or invest without the risk of losing benefits as long as they were disabled before the age of 26. Medicaid and Social Security Income (“SSI”) will not be affected if they work and deposit money into the ABLE account. This allows them to have the self-respect and satisfaction of working without worrying that benefits will be adversely affected. The money in the account is not taxed, and no trustee is needed. It is easier to establish than an Special Needs Trust.

A **Special Needs Trust** allows a disabled person, who has assets in their name that would normally disqualify them from benefits, to continue getting state and federal benefits. For a loved one who cannot be trusted to manage money and may need financial support in the future not covered by benefits, a Special Needs Trust is an excellent option.

There are a few restrictions as to how the money can be used. The funds can be invested and accessed by the person appointed as trustee. The money belongs to the trust, and if the trust earns money, you may be required to pay taxes. The funds cannot be used for the same things covered by benefits, i.e. food and housing, but can cover most other things such as education, travel, special equipment, respite care, legal expenses, and administering the trust to name just a few.



**Medical Directive** is also known as an Advanced Directive, or Power of Attorney (for healthcare) This allows you to give a trusted person the right to make decisions about your health care if you are not capable. If your loved one is disabled, you can have a medical directive for them if you are not able to fulfill that role.

**EDUCATION**

**NEW CLASSES STARTING IN JANUARY!**

*Our classes are no-cost, but do require registration ahead of time.  
For more information, please visit us online or contact the coordinators.*



Classes starting  
**Tuesday, January 15th**  
**6:00 p.m.**

To register or for more information, go to  
[www.namisc.org/basics.html](http://www.namisc.org/basics.html)

Or contact Emily Chapman at (831)-239-3401 or [ebc73@comcast.net](mailto:ebc73@comcast.net)



TWO classes starting  
**Tuesday, January 8th**  
**at 6:30 p.m.**  
or  
**Wednesday, January 16th**  
**6:30 p.m.**

To register or for more information, go to  
[www.namisc.org/family-to-family.html](http://www.namisc.org/family-to-family.html)

Or contact Fay Rector at (831)-288-0343 or [rectorf@yahoo.com](mailto:rectorf@yahoo.com)



Classes starting  
**Thursday, January 24th**  
**7:00 p.m.**

To register or for more information, go to  
[www.namisc.org/peer-to-peer.html](http://www.namisc.org/peer-to-peer.html)

Or contact Anastasia at (831)-824-0406 or [anastasia@namisc.org](mailto:anastasia@namisc.org)

**NAMI SUPPORT GROUPS**

**NAMI Support Groups for Family Members**

Free, regular groups for family members and loved ones of those living with mental illness. Drop-ins are welcome.

**Thursday Night Group 7:00 - 8:30 p.m.**

Live Oak Family Resource Center  
1740 17th Avenue, Santa Cruz

**Family Members of Young Adults (16-26)**

1st and 3rd Thursdays 6:30 - 8:30 p.m.  
NAMI SCC Office 542 Ocean Street, #F, Santa Cruz  
Parking in Back or on street

**Family Support for Spanish Speakers**

1st and 3rd Tuesdays 7:00 -8:30 p.m.  
Mariposa Wellness Center 10 Carr Street, Watsonville  
Call the Mariposa Center for more info:(831)-768-8132



**NAMI Peer Connection Support Groups**

Free, regular groups for adults with mental health challenges. Drop-ins are welcome.

**Wednesdays at 1:00-2:30 p.m.**

Sash Mill Plaza 303 Potrero St, Bldg 42, Ste 103

**Mondays at 12:30 -2:00 p.m.**

MHCAN in Piano Room 1051 Cayuga St.

**HOPE Bipolar/Depression Support Group**

Christian-based support group for both family members and peers. All are welcome, of all beliefs.

**2nd and 4th Tuesdays 6:30 - 8:15 p.m.**

Santa Cruz Bible Church at 440 Frederick St.  
Room 22, 2nd floor of Worship Center  
For more info call Janice Seals at (831)-336-5740 .