

Special Needs Planning Seminar—September 20, 2011

Capitol Plaza, Montpelier

Co-sponsored by the Vermont Chapter of NAELA, the National Academy of Elder Law Attorneys **and** the Elder Law Section of the Vermont Bar Association

Presenters: James A. Caffry and Glenn A. Jarrett

- I. The Elements of a Trust
- II. What Makes a Trust a Special Needs Trust?
- III. First party and Third party trusts and Pooled Trusts
- IV. SNTs for Personal Injury and Divorce Cases
- V. Drafting Considerations

Standalone 3rd party trust or include in will or RLT
SNT Provisions
Drafting for Flexibility and Practicality
IRA Payable to SNT

LUNCH

- VI. Pooled Trust Representative and Trustee—Nina Hamberger and Dan Kimbell
- VII. Trustee Powers, Standards and Duties
What's unique to SNTs
- VIII. Benefit Programs
SSDI, Medicare, SSI, Medicaid, Veterans

Other Government Benefits

Housing—Section 8 program
- IX. Termination and Modification of SNTs
Vermont Trust Code, §§ 410-416
- X. Administrative Considerations
Administration of an SNT when Beneficiary is Receiving SSI
- XI. Planning for the Future—Will the Trust Assets Last as Long as the Beneficiary?