

WHAT THE ESTATE PLANNER NEEDS TO KNOW ABOUT TRUSTS AS BENEFICIARIES

23rd Annual Estate Planning, Guardianship, and Elder Law Conference

August 5-6, 2021

Live Webcast

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CRAFTING THE BEST LOAF: CRUSTY ON THE OUTSIDE, SOFT IN THE MIDDLE

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OUTRIGHT AND FREE OF TRUST

Family

Financially stable

Trusted significant
others

Financially sophisticated

Unlikely to be exploited

"I won't be here to
see..."

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WHEN MAY HOLDING FUNDS IN TRUST BE BENEFICIAL?

■ The person intended to benefit from the funds:

- *Has an illness or condition which precludes developing the skills necessary for money management;*
- *Has an illness or trait which makes them particularly vulnerable and subject to exploitation*
- *Is in a relationship with an exploiter, abuser, spendthrift or addict*
- *Has not reached the age of majority*
- *May need to access public benefits including Supplemental Security Income and Medicaid, which limit assets to \$2,000*

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LIFE IS HARD. CHALLENGES EXIST. WHAT WILL CHANGE? WHEN?

KNOWN:

- IDD/Neurodiversity
- Genetic disorders
- Accidents
- Illness: Acute and Chronic
- Mental health
- Addiction

UNKNOWN:

- Treatment Improvement
- Medical Technology
- Artificial Intelligence
- Pharmacology
- Wealth Changes
- Reformed Public Benefits System



YOU DON'T KNOW UNLESS YOU ASK

Age and stage of client
Beneficiary name, age, relationship
Marital status
Children
Estranged
Disabled
Concerns about handling money
Other issues which should be discussed

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Title search: What the Estate Planner Needs to Know About Trusts as Beneficiaries

Also available as part of the eCourse

[Trusts as Beneficiaries: Estate Planning Tips and Retirement Plans in View of the SECURE Act](#)

First appeared as part of the conference materials for the
23rd Annual Estate Planning, Guardianship and Elder Law Conference session
"What the Estate Planner Needs to Know About Trusts as Beneficiaries"