

# Creating Special Needs Trusts

This playbook outlines the steps to set up a Special Needs Trust, which is a plan designed to financially support an individual with disabilities while preserving their access to government benefits.

## Step 1: **Assessment**

Assess the needs of the beneficiary with disabilities to determine the appropriate type of Special Needs Trust and the level of funding required.

## Step 2: **Legal Counsel**

Consult with an attorney who specializes in Special Needs Trusts to ensure legal compliance and to receive guidance on structuring the trust.

## Step 3: **Choose Trustee**

Select a reliable trustee who will manage the trust. This can be a family member, friend, or a professional trustee.

## Step 4: **Draft Trust Document**

Work with your attorney to draft the Special Needs Trust document, outlining the terms, funding, and the beneficiary's needs.

## Step 5: **Sign Documents**

Have all relevant parties, including the grantor and trustee, sign the finalized trust document in the presence of a notary public.

## Step 6: **Fund Trust**

Transfer assets into the trust account to fund it. This could include cash, stocks, real estate, or other valuable assets.

## Step 7: **Maintain Records**

Keep detailed records of all trust transactions and statements, ensuring full transparency and accountability for the trust's operation.

## Step 8: **Notify Agencies**

Inform all relevant government agencies of the existence of the trust to maintain the beneficiary's eligibility for assistance programs.

# **General Notes**

## **Tax Considerations**

Consult a tax professional to understand the tax implications of establishing and funding a Special Needs Trust.