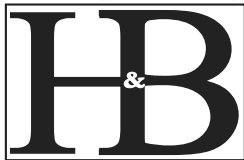




FAMILY FOCUS™

May
June
2009

PARTNERS IN PLANNING



FRIENDS FOR LIFE

THE LAW OFFICES OF
HOYT & BRYAN, LLC



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7 REASONS TO ESTABLISH A SPECIAL NEEDS TRUST (SNT)

Special needs trusts can play an important role in helping families plan for children with special needs. Here are some of the most compelling reasons to establishing an SNT.

- 1. Preserve public benefits while enhancing your child's lifestyle.** As adults, many individuals with significant special needs obtain basic support from Supplemental Security Income (SSI), which also is the gateway to Medicaid and other critical programs. Because the monthly SSI benefit is very small, most parents want to supplement their child's lifestyle. However, SSI imposes limits on income and assets, providing funds to the child directly can jeopardize benefits eligibility. Generally, the best solution is placing funds in an SNT. The Social Security Administration (SSA) does not count assets in an SNT as income for determining benefits eligibility because the assets are owned by the trust rather than the child beneficiary.
- 2. Ensure assets will be used as intended.** With an SNT, distribution of assets is directed by trust documents as well as SSA and IRS guidelines. By comparison, if you leave assets to an "able-bodied" child and ask that some of the funds be used for the sibling with special needs, the child may fail to honor your request, lose the assets to creditors, divorce or die prematurely leaving the funds to his or her spouse, children or anyone they chose.
- 3. Allow others to contribute.** If you establish the trust during your lifetime, grandparents and others interested in helping your child can make gifts to the SNT. Anyone interested in leaving your child money at death should be advised to direct bequests to the SNT.
- 4. Fund the SNT as you wish.** SNTs can be funded with cash, securities or other resources. Often, a second-to-die life insurance policy offers the most affordable option, enabling a family to fund an SNT without depleting assets required for other household needs. If assets in an Individual Retirement Account (IRA) will represent a large portion of your estate, it's important to speak with an attorney about the most tax-efficient way to transfer those assets to an SNT.
- 5. Identify appropriate distributions.** If you establish and fund an SNT while your child is young, you can use the trust like a checking account to pay the child's expenses. A future trustee can then refer to a record of these payments as a guide in determining necessary and appropriate distributions.
- 6. Maximize the benefits of a personal injury settlement.** If your child wins a sizable settlement, having the payout (often a lump sum plus a structured settlement) directed to a self-settled SNT offers several benefits. Your child will still qualify for public benefits, can use settlement funds for supplemental needs not covered by government benefits and may enjoy the financial security of receiving regular payments for life.
- 7. Enhance matrimonial settlements.** If an adult child who receives SSI and Medicaid divorces, having a self-settled SNT drafted through the divorce decree will allow any alimony or lump-sum payment from your child's ex-spouse to be paid to the trust. With public benefits intact, it's possible your child may need less from the ex-spouse. That could help ease matrimonial negotiations while still providing your child with ample resources.

Join us on Thursday, June 25, 2009 at 6:00pm for
"Special People, Special Planning" to learn more!



11TH ANNUAL CONFERENCE
JUNE 5 - 7, 2009
DISNEY CORONADO
SPRINGS RESORT

The Family Cafe Annual Conference is a statewide event designed to meet the informational and networking needs of families and individuals with disabilities or special health care. The Annual Conference provides a truly unique environment where Floridians can attend educational breakout sessions relevant to their specific needs, interact with government policy makers, network with other families and learn about the wide range of services available to them.

The Family Cafe is committed to the belief that informed individuals make better decisions for themselves, and their loved ones. The Annual Conference is their way of putting that belief into action.

The 11th Annual Family Café Conference will be held at the Disney Coronado Springs Resort on June 5-7, 2009.

Join us on Friday, June 5, 2009
from 4:30p.m. to 5:30p.m. in the
Cancun Room for Peggy's
presentation on "The Truth About
Creating A Safe Legal Haven for a
Family with Special Needs"

Please visit www.FamilyCafe.net
for more information.

UPCOMING EDUCATIONAL WORKSHOPS & EVENTS

MAY

Advisor Lunch & Learn

Topic: *Business Succession Planning*
Tuesday, May 5, 2009 at 12:00 p.m.

Truth About Medicaid Planning

Wednesday, May 6, 2009 at 9:30 a.m.

Truth About Estate Planning

Tuesday, May 12, 2009 at 6:00 p.m.
Thursday, May 28, 2009 at 9:30 a.m.

**3rd Annual
Women are READY Symposium**

Reinvent Yourself for Today's Economy
May 16, 2009 from 8:30 a.m. - 2:00 p.m.
\$10 in advance ~ \$15 at the door

JUNE

Truth About Medicaid Planning

Wednesday, June 3, 2009 at 9:30 a.m.

Family Café

June 5 - 7, 2009

Disney Coronado Springs Resort
www.FamilyCafe.net

A Matter of Trust

Tuesday, June 9, 2009 at 6:00 p.m.

Truth About Estate Planning

Thursday, June 18, 2009 at 9:30 a.m.

Special People, Special Planning

Thursday, June 25, 2009 at 6:00 p.m.

JULY

Truth About Medicaid Planning

Wednesday, July 1, 2009 at 9:30 a.m.

Truth About Estate Planning

Thursday, July 9, 2009 at 6:00 p.m.
Tuesday, July 21, 2009 at 9:30 a.m.

What To Do When Someone Dies

Tuesday, July 14, 2009 at 6:00 p.m.

All public workshops are complimentary and are held in our Learning Center. To RSVP please call 407-977-8080 or visit HoytBryan.com for more information.

Brownie 'n Berry Pizza

Make a sweet dessert pizza topped with a creamy layer and tart berries for your Memorial Day picnic!

- 1 box brownie mix
- Water, vegetable oil and eggs called for on brownie mix box
- 8 oz cream cheese, softened
- 1/3 cup sugar
- 1/2 teaspoon vanilla
- 2 cups sliced fresh strawberries
- 1 cup fresh blueberries
- 1 cup fresh raspberries
- 1/2 cup apple jelly



1. Heat oven to 350°F (or 325°F for dark or nonstick pan). Grease bottom only of 12-inch pizza pan with cooking spray or shortening.
2. In medium bowl, stir brownie mix, pouch of chocolate syrup, water, oil and eggs until well blended. Spread in pan.
3. Bake 28 to 30 minutes or until toothpick inserted 2 inches from side of pan comes out clean or almost clean. Cool completely, about 1 hour.
4. In small bowl, beat cream cheese, sugar and vanilla with electric mixer on medium speed until smooth. Spread mixture evenly over brownie base. Arrange berries over cream cheese mixture. Stir jelly until smooth; brush over berries. Refrigerate about 1 hour or until chilled. Cut into wedges. Store covered in refrigerator.



**The Law Offices of Hoyt and Bryan, LLC
 Honored by Department of Defense for
 Extraordinary Support of Employees who Serve in
 the Florida National Guard and Reserve**

Oviedo FL – The Florida Committee for Employer Support of the Guard and Reserve (ESGR), an agency of the Department of Defense, announced that Peggy R. Hoyt of the Law Offices of Hoyt and Bryan was honored with a Patriot Award in recognition of extraordinary support of its employee who serve in the Florida US Army Reserve.

According to Phillip Speake, ESGR Florida Chair, “The Patriot Award was created by ESGR to publicly recognize individuals who provide outstanding patriotic support and cooperation to their employees, who like the citizen warriors before them, have answered their nation’s call to serve. Ms. Hoyt was nominated for being highly supportive of the US Army Reserve by her Reserve component employee. Supportive supervisors are critical to maintaining the strength and readiness of the nation’s National Guard and Reserve units.”

As the 1.3 million members of the National Guard and Reserve continue to perform an increasing number of unique missions with America’s borders and beyond, ESGR will continue to be the resource for the employers of citizen warriors. ESGR provides education, consultation, and if necessary mediation for employers of Guard and Reserve employees. More information about ESGR Employer Outreach Programs and volunteer opportunities is available at www.esgr.mil, or by calling Suzanne Godfrey, ESGR Program Support Specialist, (407-574-1701) or email her at suzigodfrey@cfl.rr.com.

National Committee for Employer Support of the Guard and Reserve