

Laurie: Laurie Schaller. And I'm a subject matter expert at the ABLE National Resource Center and a financial empowerment manager at National Disability Institute, or NDI for short. NDI is the first national organization committed exclusively to championing economic empowerment, financial education, asset development, and financial stability for all people who have a disability. We are celebrating our 20 year history of working with partners across the country to build capacity, create systems change, test innovative approaches, and lead research to promote financial empowerment for people who have a disability. NDI has the pleasure of working closely with the UT Health San Antonio's Department of Psychiatry and Behavioral Sciences to develop this seven-part financial wellness series. We have collaborated with subject matter experts from various parts of the country, including fellow Texans, to bring you to a variety of topics that will build upon your knowledge to promote financial wellness and empowerment for yourself, your loved ones, and for those whom you support. We have completed three of the seventh sessions on basic financial management skills, supported decision making, and SSA's representative payee program to date. Today, fourth, in the series, we present a session on trusts, power of attorney and guardianship.

Your subject matter expert is Brennan Bose, a dedicated empathic attorney with a true passion for helping those in need. After more than 10 years working as a litigator, Brennan turned his efforts towards assisting the elderly, disabled, and their family members with securing necessary care, preserving their legacies, and ensuring peace of mind for the future. Brennan obtained his bachelor's degree from the University of Texas at Austin, where he graduated with honors and received his JD from Baylor Law School, where he was awarded a public interest summer fellowship to pursue pro bono work. He has appeared in state and federal courts across Texas, representing everything from individuals in crisis to large corporations, and he brings over a decade of experience to the law offices of Carol Birch PC. Mr. Brennan is an officer of the probate, guardianship and estate planning section of the San Antonio Bar Association, a mem and a member of the National Academy of Elder Law Attorneys. He has been elected a fellow for the Texas Bar Foundation and is a member of the Texas Bar College. He regularly gives presentations to local organizations on the topics of estate planning, probate, and long-term care planning. Brennan and his family spend their time exploring the city and surrounding hill country, sampling all the cultural and culinary experiences it has to offer. And thank you for joining us today, Brennan.

Brennan: Well, thank you for having me, Laurie. Thank you for the introduction. Um, I want to apologize in advance. Uh, apparently a work truck has parked right outside my office window, so if you get a little noise in the background, uh, my apologies. Hopefully they'll move on quickly. But, um, I, uh, I thank everyone for having me here today. Thank y'all for coming and listening to me.

Um, what we're gonna talk about today is will's, trusts, powers of attorney and guardianship, and that's a, a big category of things, uh, that there's a lot to cover here. Um, so this will be a broad overview. Um, just an initial disclaimer because I am a lawyer and there's always fine print, right? Um, I am licensed in Texas. What the information I'm providing today is specific to Texas. Um, most of most states have similar laws, but there are nuances and differences in every state. So if you're outside of Texas, um, just please, uh, know that there's a grain of salt attached and, um, you want to talk to somebody that's licensed in your state because every state is a little bit different. So with that, I'm going to attempt to share my screen so that we can get the PowerPoint going. Um, alright. Can everybody see that now? Okay

Laurie: Yes, that looks great, Brennan.

Brennan: Okay. Very good. Well, um, just a little bit about what I do. Um, I am what is called an elder law attorney, and it is what it sounds like. Uh, we are lawyers focused on the needs of seniors, uh, people with living with disabilities and their families. And so we do things like estate planning and probate, which is part of what I'm gonna talk about today. Um, I think everybody needs to have a little bit of understanding about what estate planning and probate are, um, just because these issues impact everyone. But what really makes us elder law attorneys is our focus on a couple of areas. One is long-term care planning. Um, the cost of nursing home care is, is very high and continually rising. Uh, we help families protect assets and access Medicaid benefits where possible, uh, to help families offset the cost of long-term care. And all of our estate planning is generally done with an eye towards that long-term care planning in mind. And then what another thing that we do is, uh, disability planning or special needs planning, which is gonna be a part of today's, uh, presentation. Uh, I'll talk about things like special needs trusts and, uh, a little bit about able accounts, things like that. Um, so I would ask, um, if you've got any questions, I should have plenty of time left over at the end of the PowerPoint, uh, to address any questions. Um, if y'all could hold those until the end, if, if there's something urgent, just let me know and I'm happy to, um, try to address it. But typically, it, it may be something that will come up later on in the presentation. So, uh, if we could hold those to the end.

But, um, what I'm gonna start with is the NDI asked me to talk about trusts. And trusts are a topic in my experience that, uh, there's a lot of misconceptions about. Um, trusts are a very big topic. Uh, there are hundreds and hundreds of different types of trusts. Uh, in, in short, what a trust is, is it's a relationship. It is a relationship where someone, called a trustee, holds legal title to assets, and their instructions are to use those assets for the benefit of someone else. Now, that's complicated, right? Uh, that, that's not very simple. Most people

think of a trust as a document, a set of written instructions, and that's true. Um, but I wanna make sure that we're talking about the right kinds of trusts.

In my field, estate planning, um, when most people talk about they want to set up a trust, what they mean is a revocable living trust. A revocable living trust is a kind of trust that works a lot like a will. And, and I assume that most people have experience with wills. In, in both cases, it's a set of written instructions for what happens to someone's assets after they pass away, right? It's making gifts of your assets after death and then naming someone to be in charge of carrying out those instructions. In a will, that person is called the executor. In a revocable living trust or any other type of trust, they're called a trustee. The trustee is the person who manages the assets for the beneficiary. Um, if you don't have a will or a revocable living trust, um, and something happens to you, your family is going to find that they have a bit of a mess to clean up. Uh, when someone dies without a will or a trust in place, you are what is called in intestate. You didn't leave instructions. And so in the probate process, which I'll talk about shortly, um, it gets a lot more complicated if there aren't written instructions by the person who has passed away. The big difference between a will and a revocable living trust is that if done correctly, a revocable living trust avoids the probate process. A lot of people don't seem to, to understand in, in my experience, that wills do not take effect automatically when someone dies. You can't just take their will to the bank and say, look, I'm named in this, will hand me the money in that person's account. They're gonna say, you need a court order. You need something from a probate court. So you can't really understand the difference between wills and revocable living trusts without understanding probate.

Um, in Texas, wills have very specific legal requirements in order to be valid. They have to be in writing, they have to be signed by the person that's making the will, and there have to be two disinterested witnesses, people who aren't inheriting under the will. And because of those requirements, you know, nowadays you can find just about anything online. Um, I just tell people to be careful. You know, something is usually better than nothing, but internet forms are often not state specific. They don't necessarily meet Texas law. And if you don't meet Texas law, it's as if you don't even have a will in the first place.

Living trusts, on the other hand, avoid probate. The thing with a living trust is, remember when I talked about at the beginning of trust is a relationship, but think about it like you're creating a, an entity like a corporation. It's not a physical thing, but it owns assets. A trust is kind of similar. It owns assets. The trustee owns assets for the benefit of somebody else, and the trust never dies. And so the trust can avoid the probate process, but this can get complicated. With a living trust, everything needs to be titled in the name of the trust. So if someone has a house, there needs to be a deed of that house from John Doe to John doe's

living trust. If John has bank accounts, he needs to title them in the name of the trust, because the trust can only control assets held by the trust. And that's true across the board from revocable living trusts to special needs trusts and all the different types of trusts that are out there. For this reason, they can get complicated. Um, so I, I just wanted to touch on that distinction between wills and living trusts, because people seem to think that all trusts are living trusts and they're not, um, living trust. There are tons of different types of trusts.

Sometimes, a lot of times, we create special trusts within wills. We'll do a will for somebody, but say if a minor child inherits or someone living with disabilities inherits, then a trust comes into creation for that person. That's a slightly different thing than a living trust. So do you need a will? Do you need a living trust? It usually depends on what your assets look like. Um, but to understand the difference, you have to have a little bit of background on what probate is.

Probate, in every state, is just the court process that you go through after somebody dies. The idea is to make sure that any debts that that person who just died has, that those debts get paid and that their assets get to where they're supposed to go. Whether that's through the written instructions in their will, or if they didn't leave a will, then through what are called the laws of intestacy. If you don't leave instructions, the state has a bunch of laws that say who gets what. The difference is that without written instructions, a court doesn't know what your family situation is like. And so probate gets a lot more complicated if there aren't written instructions. The big thing to remember is that probate is out there and that nothing happens automatically, even between spouses. In Texas, if a husband and wife own a house together and the husband passes away, the wife doesn't automatically inherit that house. Something has to be done in order to transfer the title from the deceased husband's estate to the wife or to his children or whoever it's supposed to go to. And that's what probate is all about, just making sure things get to the right place and that debts get paid.

Now, normally when I tell people all of this, they say, how can I avoid this? I don't want my family to have to go to court. Well, the answer is that there has to be planning done on the front end by you while you're alive. Uh, you can avoid probate. There are ways to do it. It's not always the best thing, uh, especially in contentious family situations. Uh, uh, in my experience, it's good to have a court overseeing this process to make sure that things get to where they're supposed to go, that there is a neutral arbiter that can, uh, settle disputes and, uh, make sure that the process is going smoothly and that everything is above board. But I understand that a lot of people have relatively simple situations. They want everything to go to their two kids. They want, you know, no strings attached. Um, so I would just say, one, do your estate planning in advance, because again, nothing happens automatically

and without instructions, the process is a lot harder. And two, you can't just set up that estate plan and forget about it.

My biggest problem with revocable living trusts is that they get sold as a, as a way to avoid probate. But remember, the trust can only control assets that are titled to the trust. So what I see often is that somebody sets up a living trust and they deed their house to it, and they put their bank accounts in the trust, and then they stick that trust in a drawer for 20 years and never look at it again. And in that 20 year time, they've bought a new house and they've changed banks and their IRA has changed hands, and they forget to retitle all of the new assets and the trust. So if you don't put everything, if everything's not accounted for, you're right back in probate court. So avoiding probate requires regular maintenance during your lifetime. If you buy a new house, if you change banks, if you open a new investment account, you have to make sure that those assets are accounted for in your estate plan.

There are lots of ways to avoid probate for specific assets. The easiest way for financial accounts, any bank or institution or investment account where you have money is to make payable on death beneficiaries. What a POD or payable on death beneficiary is, is a contract with your financial institution that says, when I die, I want the money in this account to go to this person, or these two people, 50 50 or these three kids, a third, a third, a third. That contract does not have to go through probate. So if your wishes are very simple, if you've got a family that you just want to inherit outright, putting POD beneficiaries on financial accounts is a good way to make sure that money doesn't get tied up in court after death.

But again, avoiding probate isn't always the highest and best good because there are lots of situations like we're gonna talk about later, where we don't want someone to inherit outright where we've got someone living with disabilities who can't manage assets on their own, or a child that's going to inherit that. We don't want to give a, a check to an 8-year-old who can't do anything with it. So, um, it really depends on your specific situation. Um, avoiding probate is sometimes a word worthy goal, but if you have the ability, I would strongly recommend talking to someone about your unique circumstances to figure out what is best for your family and how best to accomplish that.

But what I want to, to get through today is that estate planning is more than just who gets my stuff when I die. It's also about planning for incapacity, planning for a time where you or your loved ones are unable to manage things on their own, whether because of illness or age, dementia, uh, an accident, you know, you, you get in a car accident and you're in the hospital for a month and you bills still have to be paid, things like that. That's all in capacity, a situation where you can't manage things on your own. So estate planning is about getting other legal documents, not just your will or your living trust in place, more than just who

gets everything when I'm gone, but who manages things while I'm alive. And especially for this group, you know, especially for people maybe living with severe mental illness, um, where there are prolonged periods where they cannot manage something on their own. Having estate planning done, getting powers of attorney in place is so key.

So let's talk about powers of attorney and the other side of estate planning next. I think the biggest legal document that everyone over 18, who, who can, who understands and is capable of signing legal documents. The most important document that you can have is a financial power of attorney, uh, in Texas, it's called a statutory durable power of attorney. And what this document does, is it allows you to name someone who can take care of business on your behalf, okay? Think about your bank account. Your bank account, your name is on that bank account. If something happens to you and you're in a coma, your son or daughter or your sibling or whoever your loved one is, cannot just go to the bank and say, my sister's in the hospital, I need to pay her bills. Let me have access to that account. The bank is gonna tell you we can't do anything without a legal document or a court order. The legal document they need is the financial power of attorney. Now, a lot of people I talk to say, I don't want to give up control of my finances. I'm not ready to give up control of things. I, I'm perfectly okay to manage things on my own for now. A power of attorney doesn't take any rights away from you. It just allows you to delegate your business to someone else. It tells third parties, banks, financial institutions, the tax office that you're the right person to be dealing with, or this person is who is entitled to speak on my behalf, legally. The financial power of attorney is a, is a kind of a complicated document. There are lots of places that you need to, initial choices that you need to make in that document. Um, so again, if you have the means and ability, it is well worth the time to talk to an attorney about getting this document done right. Because without a financial power of attorney, bank accounts are gonna be locked. If you're in the hospital long-term or need long-term care in a facility, and the family needs to sell assets to pay for that care, they're not gonna be able to do it without a power of attorney. They're gonna be forced to go through guardianship, which is, I'll talk about here a little later on.

If there is no financial power of attorney, funds are gonna be unavailable. We can't sell assets to pay for care. And it's a double-edged sword because if you have those assets, you're not gonna be able to qualify for public benefits. So not only are we not gonna have the funds to pay for things that need to be paid, bills, medical care, things like that, we're not gonna be able to access government benefits either because those assets are preventing you from qualifying for things like Medicaid. So with no financial power of attorney, that's the situation I see where guardianship is most often comes up for people who have had capacity in the past. And that's, that's important to talk about because, um, you know, financial power of attorney is all well and good, but there are lots of people out

there, people who have been living with disabilities since birth, for example, who, who cannot, they don't have the legal capacity to understand and sign these types of documents. So for somebody that's lived with disabilities since birth, maybe they have to get guardianship, but there are other tools in our tool belt.

Uh, one of those is what's called a supported decision making agreement. It is a, it's a legally binding document that tells third parties that this person who maybe their capacity is questionable. They, they understand what they're doing, but they don't feel comfortable with the full power of attorney. It allows them to appoint someone to help make big decisions, financial decisions, medical decisions, educational decisions, and it unlocks doors in the same way that a power of attorney does. It's a legally binding document, a legally enforceable document that tells third parties that you're dealing with, this is somebody that can legally act on this person with disabilities behalf.

Now, the other side of the coin with power of attorney, okay, we've got somebody taking care of all of the financial decisions. What about medical decisions? And this affects all of us. You know, we, we all may get to a point whether through age or infirmity or illness or otherwise, where we cannot speak on our behalf. And, and we've all been to the doctor, right? Where they have you sign consent forms. If you've ever gone in for surgery, you have to fill out informed consent. Doctors can't do anything for you without you understanding the implications of it and agreeing to go forward with it. But if you cannot speak on your own behalf, if you're incapacitated or if, uh, then there needs to be somebody who can speak for you. That's what the medical power of attorney does. At a point, you appoint what's called an agent that says, if I'm unable to speak for myself, this person can make treatment decisions for me. Now, it only becomes effective when you cannot speak for yourself. It does not give somebody the right to make medical decisions for you or override your own decisions. It only comes into play when you are incapacitated.

Um, if there is not a medical power of attorney, the law is gonna default to certain family members. It may be the spouse, it may be the parents or the adult children of the person who can't speak for themselves. But the next in line, according to the law, may not be the person that you would want speaking for you. So that's why a medical power of attorney is so important to make sure that the person speaking on your behalf for these really important life or death decisions is actually the person that you want. Because again, if, if the, if it defaults to the law and there's no medical power of attorney and there's no family around, then it may be a member of the clergy. It may be somebody that you don't know who's making these treatment decisions for you.

Another big document that I always do for my clients in planning for incapacity is what's called a directive to physicians. This is a document designed to decide what kind of

treatment you want in end-of-life scenarios. So what I always go back to when, when I think of the directive to physicians, I always think back, uh, it's probably been 25 years now, but, uh, there was a woman named Terry SVO in Florida. Uh, she was basically in a, an irreversible vegetative state. All they could do was keep her on life support and breathe for her and have feeding tubes for her, but they could keep her alive indefinitely. And her husband said, my wife never would've wanted to live like this. Please stop the life support and let her pass away gently. But her parents said, no, you know, we believe in miracles. If there's a chance, our daughter can stay alive, we want to keep her alive. And that poor family fought all the way to the United States Supreme Court over what should happen to poor Terry Cheval. The directive to physicians is the document that allows you to make those decisions in advance so that your family's not having to fight over what you would've wanted. In this situation, it allows you to tell the doctors in advance if there is nothing you can do. It only applies in really narrow circumstances. So one, you have to be unable to speak for yourself. If you can tell the doctors what you want, they're not gonna look at your directive. But if you can't and your condition is either terminal or irreversible, there's nothing that they can do to bring you back to health. But they can keep your body alive on life support, maybe indefinitely. You can tell the doctors in advance, either A, discontinue all this life support, just keep me comfortable and let me pass away gently. Or B no, I want all of that life support. If there's a chance I can stay alive, I want to be kept alive. So, um, one thing to note is that a directive to physicians is not a DNR. A DNR is an out of hospital do not resuscitate order. They're very similar documents and they often get confused, but they're kind of two sides of the same coin. So think of it this way, a directive to physicians is you are alive but dying. Do you want to be kept alive in that incapacitated terminal state? A DNR is a situation where you're, you have stopped breathing or your heart has stopped. Do you want efforts taken to bring you back, to restart your heart, to restart your breathing? CPR, uh, defibrillation, things like that. So, therefore, two slightly different scenarios, both are important, um, and both should factor into any estate plan, uh, that gets done. But a DNR is a doctor's order. A lawyer cannot draw up a DNR. You have to get that from a doctor, and it has to be signed by a doctor. So if that is something that you want, um, I, I always say, you need to get that from your primary care doctor.

If you don't have a directive to physicians, then again, the law is going to default to certain family members who are gonna make this decision for you. But again, do we want the family having to make that kind of difficult life or death decision? It's better, in my opinion, for you, the person making who has these wishes to make your own wishes enforceable first. So, um, those are the three big things. The financial power of attorney, the medical power of attorney, and the directive to physicians are, are the, the big components of any plan for incapacity. And that is something that affects almost everyone at some point in

their lives. Either directly, you're the one incapacitated or indirectly, a family member or loved one has become incapacitated, and now somebody has to make these decisions on your behalf.

So if there are no legal documents in place, there are no powers of attorney, then guardianship may be the next step. Guardianship is a court process. It's, it's similar to probate and in San Antonio, in in bigger cities, um, where we have specialized probate courts. The probate courts are the ones that handle the guardianship cases, but guardianship is a measure of last resort.

Remember how I said, powers of attorney don't take any rights away from you, they just allow you to delegate things to other people. Guardianship is a step beyond that. Guardianship is a court looking at the situation with looking at medical records and doctor's, uh, reports and saying, this person is incapacitated and unable to make decisions for themselves. They are a danger to themselves or others without a guardian put in place. And because they are incapacitated, we are going to take certain rights away from this person. In guardianship, the person who is going under guardianship is called the ward, W-A-R-D. And if a guardianship is granted, the ward loses certain rights, the right to vote, the right to drive, the right to get married, the right to choose where they're gonna live, and the right to make medical decisions because the court has found that that person is incapacitated.

Now, sometimes guardianship is unavoidable. If someone has been living with disabilities since birth. If someone has been repeatedly financially exploited or has advanced dementia and is wandering the streets and adult protective services gets involved, sometimes guardianship is unavoidable. But in most cases, if you have powers of attorney in place, a court is gonna say that is less restrictive. We want to, our goal is to not take people's rights away. The court does not want to take rights away unless it's a measure of last resort. And so if you have powers of attorney in place, you can usually avoid the need for guardianship because someone can do the role of a guardian can take care of financial business, can make medical decisions, they can legally do that already. So that guardianship is unnecessary. Guardianship is a long onerous process. It, it is burdensome on families. Um, you know, uh, lots of people have to do it. Um, but once you get it done, it is not finished. Uh, every year that guardianship has to be re-certified for every year of the ward's life.

And there are two types of guardianship. There is a guardianship of the person where a guardian is appointed to make sure that this individual is taken care of. They're responsible for their living arrangements and their medical care, things like that. And then there is a guardian of the estate. And this applies when someone has assets. Maybe they owned a

home or they have some bank accounts, or they received a, uh, an injury settlement, a lawsuit settlement, and they have assets that have to be managed and spent, then a guardian of the estate is appointed. So guardianship is a long and complicated procedure. Um, if your loved one has the capacity to understand legal documents, then I would strongly recommend getting powers of attorney or a supported decision-making agreement in place so that you can hopefully avoid the need for guardianship in the future.

Um, so with that, I would like to turn back, uh, to, uh, the topic of special needs planning. Um, a lot of what we do in our estate planning and just for, for clients, uh, who have loved ones living with disabilities, um, we create what are called special needs trusts or supplemental needs trusts. And this is a special kind of trust. It's different than a revocable living trust. A special needs trust is designed to make sure that we can have assets that can be used for someone living with disabilities while making sure we do not disrupt their government benefits.

So this is a big problem. Let, let's kind of walk through it. Um, the, the most recent census data I could find from 2021 said that there are about 42 and a half million Americans living with disabilities, about 13% of the population. And many of these individuals rely on government programs, food stamps, SSI, Medicaid, these government benefits that are, what they call means tested.

What that means is that if you have too much in assets, you don't qualify for the benefit. So let's look at a situation. An adult son who has been living with disability since birth, gets food stamps SSI and Medicaid, but then his parents pass away and leave him everything. Or maybe he was in a car accident and received a hundred thousand dollars from a law an a lawsuit settlement. Without a special needs trust in place, in either of those circumstances, the son is gonna lose all of his government benefits. And things like SSI and Medicaid are often essential for people living with disabilities. The, the, the benefits that come with Medicaid cover so much medical care and so much costs that it's often impossible for people to live without it.

So that's why we do special needs trusts for families. We work with maybe the parents of the person living with disabilities so that when they die, a trust comes into creation so that their son or daughter is taken care of. Without losing SSI and Medicaid, they can still have that inheritance contained in the trust that can be used to enhance their quality of life, buy them things that they otherwise would not be able to afford, but without disrupting their benefits. So naturally, there's some strings that come attached with this. Special needs trusts work because one, they have to be irrevocable once you set them up. They cannot be changed. The person with disabilities cannot be their own trustee. They cannot manage the, the trust themselves, and they cannot direct the trustee to give them things out of the

trust. The trustee, a separate person, truly has to be in charge of the trust assets for them. And there are limitations on what you can spend it on. You can't just give the person with disabilities cash or pay their housing expenses.

So there are strings that come attached to special needs trusts, but they can definitely improve someone's quality of life. We can cover medical and dental expenses that aren't covered by other types of insurance or Medicaid, adaptive equipment, transportation, vacations, home furnishings, a couch furniture, a new dishwasher, uh, travel, recreation and entertainment, a new computer, that can pay for a caregiver to come in and help stay with that person. So this is not an exhaustive list, but this is just to kind of show you what special needs trusts can do for people living with disabilities.

What you cannot spend special needs trust money on is cash or cash equivalent or housing expenses. And that includes utility bills like electricity and property taxes. Now you're gonna hear at the next, uh, seminar about another program called ABLE Accounts. ABLE Accounts are a great tool that are, are in our tool belt to help people living with disabilities have some financial independence. It's a special type of bank account that you can set up for someone living with disabilities that they can use that money for qualified disability expenses. It's, it's actually less restrictive even than the Special Needs trust, but you can only put so much money into the ABLE account each year. And in Texas, the ABLE account can have a maximum of a hundred thousand dollars. So ABLE accounts don't work with larger estates if a, if a parents want to leave, you know, uh, an IRA with more than a hundred thousand dollars to their, uh, child living with disabilities. But they are a very important tool and I, I, I encourage y'all to come to the next, uh, seminar because ABLE accounts are a wonderful, wonderful thing, uh, that I I think you'll definitely benefit from learning more about.

Um, I just wanna briefly touch on the types of special needs trusts. So when we're doing advanced planning for someone, for a family who maybe has a child living with disabilities, we want to create what's called a third-party special needs trust. It's third party because it's funded with money from somebody else other than the person living with disabilities, their parents or their friends or their siblings, so that they receive that inheritance. It's in a trust for the person with disabilities benefit. And then in that kind of planning, you can direct where it goes, where the assets go after the person living with disabilities ultimately passes away. Maybe it can go back to the other family members or stay in the family to benefit the person living with disabilities children.

The other kind of special needs trust is what's called a first party trust. So let's go back to that first example where the person living with disabilities receives a lawsuit settlement. They have a hundred thousand dollars. Well, that's their money. That's their money. And so

you can't use a third-party special needs trust when it's the person with disabilities on money. You have to create a first party special needs trust. And the big difference is that first party special needs trusts have to have what's called a payback provision, which says when the person living with disabilities dies, the money that's left in the trust has to go to payback the state for the benefits that they received. So the type of special needs trust that you set up is extremely important. It has to be tailored to the unique circumstances. Again, um, you can find almost anything online nowadays, but in general, you gotta be careful with this stuff because you do not want to create a special needs trust with a payback provision when it wasn't necessary, or create a special needs trust without a payback provision where it would be required, because otherwise it's not gonna work. So, um, it is about 11:45 now. Um, I have covered everything I wanted to cover, uh, so I will open it up for questions. Uh, but I thank You all for listening to me today. Um, and I hope that this has been helpful for you. And again, if you have any questions, uh, please feel free to ask. Thank you.