



ATTORNEY INSTRUCTIONS & CHECKLIST

Life Navigators Trusts I, II, and III

NOTE: This checklist is designed to work as an aid to attorneys in completing and submitting the paperwork required to create a Life Navigators Trust. This checklist does NOT replace the need for professional legal assistance in creating a Life Navigators Trust. Further, this checklist is subject to change at any time.

STEP 1: Contact Life Navigators

1. This must be done PRIOR TO completing or submitting any trust paperwork.
 - Each situation is unique, and Life Navigators can provide insight into whether the Life Navigators Trust may work in terms of type of disability, type of benefits, nature of assets expected to be transferred, etc.
 - Life Navigators can verify the best method of obtaining the most current Instrument of Adoption and any other required paperwork.

NOTE: Any “unique assets,” (i.e. assets other than cash or cash equivalents) should be discussed prior to setting up a trust to verify they can be accepted.

2. Current contact: Mary Till, 414-774-6255 or mary@lifenavigators.org.

STEP 2: Complete Instrument of Adoption (IOA)

1. Prepare the appropriate Trust I, Trust II, or Trust III Instrument of Adoption (please obtain the most current IOA from the Life Navigators website).
 - If remainder Beneficiary(ies) are heirs at law. Please complete the Heirs at Law form on the Life Navigators website).
2. Print four copies for signature.
3. The Settlor, Attorney and Personal Needs Advisor sign all four originals, and all four originals must be notarized.
4. The attorney must review all fees associated with the trust with the client prior to submitting the documents.



STEP 3: Gather Additional Required Documentation

1. Copy of Settlor's valid driver's license, state-issued identification card, or unexpired federal government-issued passport. If Settlor does not have any of these, then a copy of Settlor's social security card or Medicaid card, or Medicare card or insurance card, and a copy of utility or tax bill (only for funded trusts).
2. IRS Form W-9 for Primary Beneficiary signed by Beneficiary or legal representative (only for funded trusts).
3. If someone other than the Settlor is signing the Instrument of Adoption, you **MUST** include a copy of the paperwork that gives the signer the authority to act. (This includes letters of guardianship, power of attorney, etc.).
4. For Trust I and Trust II - Provide a copy of a SSA Award Letter or a verification letter showing the receipt of disability-based benefits or the MA disability transmittal from the Beneficiary's county.
5. For Trust III - Provide proof of a formal Disability Determination from SSA or DDB. If none, then a copy of the MADA and date filed. Complete the Loan Agreement if Beneficiary has not received a favorable disability determination when trust is created.
6. If the trust is being funded immediately, checks should be made payable to:

"Life Navigators Trust (*I or II or III*) f/b/o (*name of Beneficiary*)."

STEP 4: Submit Paperwork for Processing

1. Instrument of Adoption and Supporting Documentation

- Send to:

Life Navigators
Attn: Mary Till
7203 West Center Street
Wauwatosa, WI 53210



- Life Navigators will sign paperwork and forward to the trustee for signature. You will receive two originals back. (One for you and one for your client).

2. Funding Source

- If the trust is immediately being funded, the funding source may be sent to Life Navigators with other creation paperwork or it may be sent directly to the trustee, Prairie Financial Group, P.O. Box 648, Waukesha, WI 53187-0648, after the trust has been created.

3. Initiation Fee

- Funded Trusts. The initiation fee may be billed to the trust, paid upfront or billed to the Settlor. Please make checks payable to Life Navigators.
- Unfunded Trusts. The initiation fee may be paid upfront or billed to the Settlor. Please make checks payable to Life Navigators.

4. Include in Cover Letter

- Who is funding the trust.
- How the person has authority to fund the trust.
- How the initiation fee is to be paid.
- If the timing of the trust set up is urgent.

Note: if the timing is urgent, please also call or email Mary Till prior to or at the time the paperwork is submitted.

STEP 5: Notify Public Benefits

1. It is the responsibility of the attorney to determine when public benefit agencies must be notified of a trust creation and to make the appropriate notifications.
2. Life Navigators will NOT notify Medicaid, Social Security or any other public benefit agencies of the trust creation.



STEP 6: Post-Creation Matters

1. Provide client with original trust document.
2. Encourage clients to meet with Life Navigators.

Note: Life Navigators will contact the client to schedule a meeting, but the client should be made aware of how important it is to have this meeting, as this meeting will cover how to use the Life Navigators Trust, other Life Navigators services available to the Beneficiary, etc.