



Third-Party Pooled Special Needs Trust Attorney Checklist

It is not the intention of Commonwealth Community Trust (CCT) to provide legal advice.
Please submit this checklist with the Joinder Agreement.

- The Beneficiary of the trust has special needs.
- I have informed my client that once the trust is funded, The Trust Company of Virginia (TCVA) will provide a K-1 form to the Advocate, as required by IRS Regulations, and for the Advocate to consult with a tax preparer with any questions.
- Funds deposited into the Third-Party Pooled Special Needs Trust belong to a third party. The Beneficiary's own assets, including an inheritance left directly to the Beneficiary, cannot fund a third-party trust.

Protection of benefits for a client receiving Supplemental Security Income (SSI) and Medicaid

- I have informed my client that in order to protect SSI benefits, the trust does not disburse funds for shelter or food as SSI is intended to pay for these expenses. If there is an unusual circumstance, such disbursements must be reported to SSA and may reduce the client's SSI benefits.
- I have informed my client that the trust follows the rules regarding SSI and Medicaid in order to protect both SSI and Medicaid benefits.

For a client receiving Section 8 Subsidized Housing (HUD)

- I have informed my client that a special needs trust may impact eligibility for subsidized housing.

Date: _____

Beneficiary Name: _____ Beneficiary Date of Birth: _____

Attorney Name: _____ Attorney Signature: _____