

Presented:

2021 CHANGES AND TRENDS AFFECTING SPECIAL NEEDS TRUSTS
February 18-19, 2021
Austin, Texas

**Masters of SNT—
What I Know Now
That I Wish I Had Known Back Then**

Materials Provided in Connection with Panel Discussion by

**H. Clyde Farrell
Mary Alice Jackson
Renée C. Lovelace
Patricia F. Sitchler**

H. Clyde Farrell 512-323-2977 cfarrell@txelderlaw.com	Mary Alice Jackson 941-365-2304 majackson@boyerboyer.com	Renée C. Lovelace 512-858-0707 rclovelace@aol.com	Patricia F. Sitchler 210-863-9470 patriciasitchler@gmail.com
--	--	---	--

MASTERS OF SNT— What I Know Now That I Wish I Had Known Back Then

Contents

I. SPECIAL NEEDS TRUST ANNOTATED BIBLIOGRAPHY	1
II. LETTER OF INSTRUCTION TO TRUSTEE OF SNT.....	5
III. SAMPLE LETTERS REPORTING TRUSTS TO AGENCIES.....	16
A. SAMPLE LETTER REPORTING TRUST TO MEDICAID PROGRAM.....	16
B. SAMPLE LETTER REPORTING THIRD-PARTY TRUST TO SOCIAL SECURITY	18
C. SAMPLE LETTER REPORTING SELF-SETTLED TRUST TO SOCIAL SECURITY....	21

I. SPECIAL NEEDS TRUST ANNOTATED BIBLIOGRAPHY

*Denotes publications included in *Cheetah* (Wolters Kluwers), a searchable online compilation of *Trust Law Publications* and *Elder Law Publications* at www.wkcheetah.com/ (costs about \$2,200 per year). This is the lowest-cost way of acquiring an online Elder and SNT Law library, very efficient if you write CLE papers or briefs or just want to be able to research the current law quickly. However, it must be supplemented, especially in the Medicaid field, with state-specific publications.

Abshire, Farrell, Sitchler & Wright, *Texas Elder Law*. Covers all Elder Law topics, with one chapter on Special Needs Trusts, applying law and policy effective in the state of Texas. Updated annually. In West's Texas Practice Series, available in paperback and Proview (online) at <https://store.legal.thomsonreuters.com/law-products/Treatises/Texas-Elder-Law-2020-ed-Vol-51-Texas-Practice-Series/p/106650693/>

Bush, Thomas E., *Social Security Disability Practice*. Very clear writing on complex, specialized topics. Essential to a law practice that includes disability determination and very useful for Special Needs Trust practice as well.

Choate, Natalie B., *Life and Death Planning for Retirement Benefits*. If you do any planning with tax-deferred retirement benefits, you must have this

book. It is both clear and comprehensive and is updated when the law changes. Available in hard copy or digital subscription at <https://ataxplan.com/life-and-death-planning-for-retirement-benefits/>

Courtney Richard A., *A Lawyer's Guide to Working with Special Needs Clients*. This is like having a conversation with a lawyer who loves his work and wants to encourage others who may have an interest in developing a Special Needs practice. He shares many personal experiences as well as discoveries and resources not usually found in a book on a legal specialty. It will be very helpful to attorneys considering moving to this field. It does not purport to be a treatise or form book but may serve nicely as a bridge to those resources. Available at www.amazon.com/

Fleming, Robert B. and Lisa Nachmias Davis, *Elder Law Answer Book*. Provides clear answers to common questions, useful for copying passages and sending to clients. Includes hundreds of links to online resources that provide more complete answers when needed*

Hook, Andrew H. and Patricia E. Kefalas Dudek, *Special Needs Trusts Handbook*. Very practical and up-to-date treatise and forms. Indispensable to any Special Needs Trust practice*

Jeffreys, Jo-Anne Herina and Patricia E. Kefalas Dudek, *Representing the Elderly Client: Law and Practice*. Comprehensive Elder Law treatise with both forms and text but not state-specific*

Johanson, Stanley, *Johanson's Texas Estates Code*. Virtually all Texas statutory law applicable to estate planning, probate and guardianship, with priceless annotations to the Texas Estates Code by Prof. Stanley Johanson. Thomson Reuters, in paperback and Proview (online), updated annually

Kruse, Clifton B., Jr., *Third-Party and Self-Created Trusts: Planning for the Elderly and Disabled Client*, Third Edition. Closing in on being 20 years old and mostly out of date, the Kruse treatise provides history and information not generally available from other sources; the book is often available at www.amazon.com/. Watch for a fourth edition scheduled out before the end of 2021, to be co-authored by Prof. Rebecca Morgan, Robert B. Fleming, and Bryn Poland

Margolis, Harry S., *The ElderLaw Portfolio Series* (loose-leaf, updated annually). In-depth discussion of numerous topics in Elder and Disability Law*

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](http://utcle.org/elibrary)

Title search: Masters of SNT—What I Know Now That I Wish I Had Known Back Then

Also available as part of the eCourse

[Answer Bar: Considering a Special Needs Trust](#)

First appeared as part of the conference materials for the
17th Annual Changes and Trends Affecting Special Needs Trusts session
"Masters of SNT—What I Know Now That I Wish I Had Known Back Then"