achieva
Family Trust

# Third Party Trust

## Plan for Your Future through Special Needs Trusts

*Achieva Family Trust helps beneficiaries and their families plan for their future and enhance their lives through three types of special needs trusts:* ***Pooled Trust, Payback Trust*** *and* ***Third Party Trust****. A special needs trust offers a way to protect the assets of a person with a disability as well as their eligibility for Medicaid (MA), Waiver Services and Supplemental Security Income (SSI).*

### IS A THIRD PARTY TRUST FOR ME?

- ✔ I am a family member or friend of an individual with a disability, and I am concerned about their future.
- ✔ I wish to provide for my loved one while still preserving the individual's eligibility for essential, lifelong supports and services.
- ✔ I want a future plan for my loved one that provides peace of mind.

**Anyone can fund this trust during their lifetime and/or through their estate plans for a beneficiary of any age.**

### WHAT IS A THIRD PARTY TRUST?

The **Pennsylvania Supreme Court**, through a number of decisions, recognized that family and friends of an individual with a disability can create trusts to benefit the person with a disability.

With a Third Party Trust, **family and friends can provide for their loved one while still preserving the individual's eligibility for essential, lifelong supports and services** such as Medicaid, Waiver Services and Supplemental Security Income.

Achieva Family Trust serves as **trustee or a co-trustee** for Third Party Trusts.

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**Achieva Family Trust**
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## ADVANTAGES OF A THIRD PARTY TRUST

Achieva Family Trust adds **valuable social service expertise** to the traditional role of corporate trustee.

**Family and friends can fund the Third Party Trust** during their lifetimes and/or through their estate plans.

The Third Party Trust can be very **flexible and can benefit additional family members or friends.**

Following the passing of the beneficiary, **any remaining money is distributed according to the terms of the trust agreement** to other family members, friends, or charitable organizations.

There are **no age limits** for beneficiaries.

## REQUIREMENTS OF A THIRD PARTY TRUST

**Trustee must have absolute discretion over distributions**, so the beneficiary cannot have a legal right to force a distribution from the trust.

The person creating the trust must clearly express his or her intention **to supplement, not supplant**, government supports and services.

The person creating and funding the trust must be someone **other than the person with a disability**. The **individual with a disability cannot create or fund** a Third Party Trust.

The Trust must be **drafted by a knowledgeable attorney**.

## OUR TRUSTS OFFER:

- **Personalized Service:** All of our caring, knowledgeable trust administrators have extensive experience with social services and government benefits.
- **Low Fees:** As a nonprofit organization, we offer some of the lowest fees. Trusts can be established with a deposit as low as $500. There are also no start-up fees or fees to close an account.
- **Professional Investment Management:** We use highly regarded investment managers for trust funds.

Get a no-cost consultation today.

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