

DISBURSE ASSETS TO SPECIAL NEEDS TRUST

Guardianship of  
Case No.:  
Petitioner's Attorney:  
Attorney Ad Litem:  
Date:

**LEGAL STANDARD:** F.S. 744.444 (19) permits guardian upon court approval to create trusts in connection with estate, gift, income, or other tax planning or in connection with estate planning. F.S. 744.444 (20) permits guardian with court approval to enter into contracts that are appropriate and in best interest of ward. FS 744.447 and 5.630 control the procedure to obtain authority from Court.

Guardian's relationship to ward: \_\_\_\_\_

\_\_\_ Signed by Guardian [5.610(e)]

Dollar amount to be transferred [5.630 (a) (3)]: \_\_\_\_\_

X Purpose of disbursement [5.630 (a) (1)& (2)]: to allow ward to continue to qualify for gov't benefits

Previous disbursements: \_\_\_\_\_

Value of Estate: \_\_\_\_\_

\_\_\_ Reports up to date & approved

\_\_\_ Notice to Next-of-kin [5.630(b)]:

\_\_\_\_\_  
\_\_\_\_\_

Name of Proposed Trustee: \_\_\_\_\_

Relationship of Trustee to ward/guardian: \_\_\_\_\_

\_\_\_ Assets are protected: \_\_\_ Bond \_\_\_ Restricted Account

\_\_\_ Order provides for court order before disbursements are made from the special needs trust

\_\_\_ assets are subject to guardianship court's jurisdiction

\_\_\_ Beneficiary of Trust is either ward's estate or next of kin

\_\_\_ A copy of the trust instrument been filed

\_\_\_ The order incorporates the trust instrument

**DISCUSSION:** \_\_\_\_\_

**RECOMMENDATION:** \_\_\_\_\_