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WHAT IS A SPECIAL NEEDS TRUST?

Some Important Terms:

FIRST PARTY PLANNING
THIRD PARTY PLANNING
POOLED TRUSTS
REVOCABLE TRUST
IRREVOCABLE TRUST
TESTAMENTARY TRUST
INTER VIVOS TRUST
TRUSTEE
BENEFICIARY
ADVISORY COMMITTEE
SSI (Supplemental Security Income)
SSDI [OASDI] (Social Security Disability Insurance)
MEDICAID (not Medicare)
LONG TERM CARE
COMMUNITY BASED SERVICES
SOCIAL SECURITY SURVIVOR BENEFIT (for a Dependent)
QMB
SLMB
HOUSING VOUCHER
MICHELE P
SCL
MONEY FOLLOWS THE PERSON
CONSUMER DIRECTED OPTIONS
WAIVER PROGRAMS

The words “Special Needs Trust” can bring up visions of complex Social Security and Medicaid Rules even for most lawyers who represent families or individuals with disability issues. We worry about risking SSI or Medicaid eligibility. Reading some trust agreements can be dizzying. Indeed, for families and individuals with disabilities, the concept is usually explained to be a specialty practice for lawyers and as such might be best handled by a specialist. However, understanding the logic and fundamentals of this type of estate planning need not be so difficult when we understand the purpose.

A Special Needs Trust is estate planning for protection. Although there are many reasons to restrict a beneficiary’s access to a trust resource, most often, the protection is provided to the trust beneficiary’s eligibility status for public benefits, primarily Supplemental Security Income (SSI) and Medicaid. Medicaid is the valuable government medical insurance available for SSI recipients and low income individuals who cannot afford private insurance. SSI is a government cash benefit for the aged, blind or

disabled who do not qualify for adequate Social Security or, due to their age, blindness or disability, cannot generate adequate income levels for their support.

Because these government benefits have eligibility limits, such as limits on owning resources (assets) and income levels, an applicant for, or recipient of SSI or Medicaid may, under the SSI and Medicaid rules, have a trustee hold those resources "in trust" and exempt the value from being considered "available" to the beneficiary for use to pay medical or living expenses.

In law, there are two basic ways to "own" something, one can own with "legal title" or "beneficial title." Legal title is held by the person who can control, buy and sell the property, beneficial title belongs to someone who gets to use or enjoy the property. Usually we hold our property both ways. As an example, our name is on the bank account and we get to spend it. But in the special needs arena with SSI and Medicaid eligibility, if the available balance exceeds \$2,000, that is total ownership and our bank account is "available" to use for our support making us ineligible for SSI and/or (typically) Medicaid.

In most cases, a "trust" is not a "thing" like a corporation, but is a contract relationship created by an "agreement" between a "Grantor" (also called a "trustmaker" or "settlor") and a "Trustee," to hold legal title to an asset (the "corpus" or "principal") and administer the ownership according to an agreement. For a Special Needs Trust, there is always a written agreement. Technically, the trustee "owns" legal title to the asset but access by the beneficiary is restricted by the terms of the agreement. In a Special Needs Trust, the terms always work within the rules of SSI and Medicaid.

A special needs trust can be created before an application for benefits is filed or on behalf of any beneficiary who is already receiving SSI and/or Medicaid. Timing is not usually an issue, but failure to create a trust in certain circumstances can be important to preserving eligibility.

TWO BASIC KINDS OF SPECIAL NEEDS TRUSTS: First Party or Third Party funding

Although we see trust agreements titled as "Special Needs Trust" and "Supplemental Needs Trust," the name does not define how the agreement works or whether it does work for SSI and Medicaid purposes. The effectiveness of the trust depends on the terms of the agreement and how Social Security and Medicaid agencies interpret the availability of an asset to the disabled beneficiary. The underlying principal of "first party" and "third party" begins with whose money created the trust corpus and the importance in "first party planning" of the requirement that Medicaid is a beneficiary if the trust is ended by death of the disabled beneficiary or is dissolved prior to the beneficiary's death.

"THRID PARTY TRUST"

- 1) A Special Needs Trust created using assets contributed by a person other than the individual with disability, such as a parent or other relative or friend, is known as a "Third Party" Trust. For most professionals and agencies, the use of the words "special needs" and "supplemental needs" are interchangeable. In distinguishing the two, however, the terms of the agreement are very important between the "Third Party" and "First Party" agreements. Third Party Trusts are traditionally known as "discretionary trusts," meaning the Trustee has total discretion of how to spend trust assets. So, the beneficiary has no control over the resource. A Third Party Trust can be "revocable" or "irrevocable."

“FIRST PARTY TRUST” (Medicaid Payback Trust)

- 2) A Special Needs Trust created using a disabled beneficiary’s own resources such as a personal injury settlement, inheritance or savings is known as a “First Party” trust. An asset held by a trustee subject to a properly drafted “First Party Special Needs Trust Agreement” and administered according to the terms of the agreement is not considered “available” as a resource in SSI or Medicaid eligibility. Social Security rules define a First Party trust as “exempt.” “Pooled Trusts” are usually drafted as First Party trusts. First Party Trusts are “irrevocable.”

“Special Needs Trust Fairness Act”

Recently, Congress made a big change to the law of First Party Trust planning. The Special Needs Trust Fairness Act (“Fairness in Medicaid Supplemental Needs Trusts”) was passed allowing the person with disability to create their own trust agreement. Prior to that new law, under the Social Security Act, only a “parent, grandparent, legal guardian or court” could create a First Party Trust. Now, because many individuals who have disability are not “incompetent” but are perfectly capable of understanding and entering into and executing a trust agreement, an individual beneficiary can execute and create their own First Party Trust.

The important difference between these two agreements is that for Third Party Special Needs Trusts, because the funding (money or resource) put into trust is from someone who would not be obligated to support or pay medical bills for the beneficiary, Medicaid cannot require the “Third Party” trustmaker’s money to pay the beneficiary’s medical bills or require the Trustee to reimburse Medicaid in the event the fund is dissolved at death or earlier. However, because the asset(s) funding a First Party Special Needs Trust belonged to the beneficiary seeking SSI and/or Medicaid, (but for the exemption) the assets would have to be “spent down” on support or medical expense, to eligibility limits, before being “resource eligible” for SSI or Medicaid. Effectively, the rule says one can benefit from (using) the Special Needs Trust assets while alive, avoiding paying medical bills, but Medicaid wants to be reimbursed if there is money left at the time of the beneficiary’s death or if the beneficiary wants to regain the fund, having passed the medical bills to Medicaid. It’s only fair. A First Party Special Needs Trust is often called a “Medicaid Payback Trust.” Although these exemption rules apply to SSI eligibility, SSI does not get a payback provision. If more than one state has provided Medicaid assistance to a beneficiary, the reimbursement can be pro-rated among several state Medicaid agencies.

NARROW FOCUS of a FIRST PARTY TRUST

First Party trusts are specifically designed pursuant to Federal Statute, 42 U.S.C. 1396p (d)(4)(A), [often referred to as a “d4A” trust] of the Social Security Act and under all SSI and Medicaid Regulations and policies. A First Party trust must be “irrevocable.” This means the resources are out of the control of the beneficiary until death or until after Medicaid is paid back and the trust distributed according to its terms. Although various states may interpret Special Needs Trusts differently, Federal law and policy controls. First Party trusts have an overriding restriction known as the “sole benefit rule.” This means the only person who can have any benefit whatsoever from the trust is the disabled beneficiary whose assets funded the trust relationship. This sole benefit rule has given rise to a lot of disagreement with SSI and Medicaid administration. This is where technical expertise and a good Advisory Committee can be invaluable. Misinterpretation can lead to the trust being disqualified as an exemption causing a loss

of SSI and/or Medicaid benefits and a demand for reimbursement of the SSI payments. There is no prohibition against a parent or sibling being trustee. However, the trustee *MUST* be familiar with the tightly defined rules of administering the sole benefit and other detailed policies published by the Social Security Administration and Centers for Medicare and Medicaid and its Regional and state offices.

If all applicable state Medicaid agencies have been adequately reimbursed for any amounts paid during the beneficiary's life, any residuary can then be distributed according to the terms of the agreement, such as to siblings or charity as the grantor intends or by the state's law of inheritance.

BROAD USE OF THIRD PARTY TRUST PLANNING

Third Party Trusts are not created by statute like First Party Trusts. Third Party trusts are from general trust law. The Trustee has "discretion" as to any distributions and may be drafted overall to benefit multiple beneficiaries and can be "revocable" by the Trustmaker. However, according to the agreement, the Trustee is given total "discretion" on how, when, where, and to whom benefit is given. Therefore, in the case of a beneficiary with disability, in the event an application for SSI or Medicaid is made, the Trustee could deny any access to that beneficiary, effectively exempting the assets from "availability" under the SSI and Medicaid eligibility rules.

Without a Medicaid payback provision, any residuary after the beneficiary dies can be directed to other beneficiaries, such as siblings or charity according to the Trustmaker's wishes.

The beneficiary with disability, applying for benefits, cannot deposit their own resources into a Third Party Trust, avoiding the Medicaid payback. This would cause a disqualification by the agency. That applicant must use a First Party trust with Medicaid payback provision.

"POOLED" SPECIAL NEEDS TRUSTS

Pursuant to Federal SSI and Medicaid law, 42 U.S.C. 1396p(d)(4)(C) permits a non-profit agency to act as Trustee of a trust agreement allowing the "pooling" of deposits from multiple First Party SSI and Medicaid recipients. These funds are usually under professional management to maximize investment returns and reduce administration expenses and complexity of having multiple individual (and different) trust agreements. In a pooled trust fund, smaller accounts can be managed for beneficiaries whose assets cannot support the expense of an independent bank trust department or professional trustee. There is a "master" trust agreement for all accounts, but a separate "joinder agreement" for each individual beneficiary. The instruments must be reviewed and approved by Social Security to assure compliance with their SSI and Medicaid rules. There are many pooled funds available for beneficiaries throughout the U.S. These are not typically limited by geographic boundaries; a beneficiary in one state may participate in a pool located in another state. Most often these trusts are managed as "sole benefit" First Party accounts although some pool trust administrators will also act as trustee for a stand-alone Third Party trust. Unlike stand-alone First Party trusts under 42 U.S.C 1396p (d)(4)(A), Pooled Trusts under (d)(4)(C) can allow the non-profit agency to retain up to the full residuary in the account at death of a beneficiary, for use by other beneficiaries who may have exhausted their own accounts or for other benefit of the charitable agency without Medicaid payback. But, there is a Medicaid payback requirement for any residuary not retained by the agency, up to the amount paid by Medicaid on behalf of the disabled beneficiary. Some Pooled Funds retain only a portion and pay a portion back to Medicaid, some retain the entire balance.

HOW TO CREATE A SPECIAL NEEDS TRUST

A special needs trust agreement is usually drafted by an attorney. The document may be a parent's Last Will and Testament that includes "third party discretionary trust" language as a provision in the Will. That trust is referred to in the law as a "testamentary" trust. The attorney may draft a trust for a parent or other well-meaning individual who intends to benefit a person with disability by making an "inter vivos" (during my lifetime) gift into trust. Again, that would be a Third Party Trust because it is another person's money funding the trust [no Medicaid payback]. However, if the parent dies leaving a legacy that descends to a child receiving SSI or Medicaid benefits, a legally capable beneficiary can create, or have a guardian, parent, grandparent or a court create his or her own d4A trust, thereby exempting the inheritance from resource consideration. However, because the inheritance reached the beneficiary directly and is not his/her money, it has forced the fund into a Medicaid payback requirement. This is an example of how important it is to have properly drafted estate plans, with wills and trusts containing special needs provisions. No one can guarantee that your beneficiary will not be on public benefits when the will is submitted to probate in the future. All estate plans should have special needs provisions included.

It is possible to have a court "reform" a decedent's will to include special needs provisions. Petition should be made prior to the final distribution of the estate. There is a theory that the inheritance has not reached the beneficiary, and is not yet out of the estate, until distributed by the personal representative. Should the law support this theory, the Court may reform the will without Medicaid payback, the funds being distributed by the personal representative as a "Third Party."

AVAILABILITY OF THE FUND

Although the objective of Special Needs Planning is to exempt the resources held in trust from being considered "available" to the beneficiary, the beauty of these agreements is that the Trustee "owns" and can distribute the fund to purchase "supplemental" goods and services for the benefit of the disabled beneficiary without the value of the asset reaching to the beneficiary. Direct payments to vendors or merchants by the Trustee are not distributions to the beneficiary and therefore not "income" or "available resources" under SSI and Medicaid rules. With this process, the trustee is able to supplement the lifestyle of a beneficiary with disability from the trust without risking eligibility for SSI and Medicaid.

ELIGIBILITY for BENEFITS

If properly drafted to conform to the language requirements (such as including "sole benefit," Medicaid payback provisions, or pure discretionary terms) both First Party trusts (including Pooled Funds) and Third Party trusts will "exempt" the assets held in trust from being counted as "available" resources when applying for the important public benefits.

TAXATION

Generally, Special Needs Trusts are taxable relationships.

For a simple summary, a First Party trust for tax purposes is considered to belong to the disabled beneficiary. Therefore, the beneficiary's Social Security Number may be used for reporting and income to the trust is reported on the beneficiary's individual tax return, not a trust return. If a tax

identification number is required by a bank for the account, a tax return will need to be filed for that TIN and a K-1 (similar to a 1099) is issued to the beneficiary for filing on his or her personal return.

A Third Party trust has its own tax identification number and reports income on its own return. Income distributed from the trustee for the beneficiary can be taxed to the beneficiary, explaining the distribution on an “informational return” filed by the Trustee. A K-1 is then issued to the beneficiary for their personal return. If income is not distributed, a return is filed for the trust and tax paid by the trustee at rates established by the IRS for trust income.

“ABLE” ACCOUNTS

In 2014, Congress passed the Stephen Beck Jr., Achieving a Better Life Experience Act of 2014, popularly known as the “ABLE Act.” Ohio refers to their accounts as “STABLE” accounts and several states use the Ohio fund for administration. The rules are found in Section 529A of the Internal Revenue Code, not the Social Security Act as SSI and Medicaid are. This new law is directly supportive of special needs planning, designed to allow Medicaid and SSI beneficiaries to have direct access to their own account holding their own funds, similar to a First Party Trust but with access by the beneficiary rather than a trustee. Eligibility is for persons with disability which onset before age 26. Legislation has been submitted to expand the age limit but has not been approved. One can be over age 26 but their disability must have begun prior to age 26. There is a limit of one account per individual.

An important difference for the ABLE Account balance is that it may exceed the \$2,000 resource limitation of SSI and Medicaid without affecting the owner’s eligibility for SSI or Medicaid. In fact, deposits from the individual, family, friends or other sources into the account can be as much as \$15,000 annually (total from all sources.) Upper limits of the account balance conform to the state 529 educational account limits. However, if the account balance reaches \$100,000, SSI benefits are suspended (not lost.) Medicaid eligibility continues. Distributions from the account are limited only to “qualified disability expenses” and only for the account holder (sole benefit again.) But this is a very broad definition encompassing nearly anything supportive of the account holder, enhancing quality of life. Similar to First Party Trusts, Medicaid is a beneficiary of the account at death, depending on state law and estate claims rules. Check with your state’s ABLE (or STABLE) administrator about how someone can best use an ABLE account.

ABLE accounts can be an effective alternative for small disability estates, but do not replace the benefit of Special Needs Trust planning. Consult with a Special Needs Alliance attorney to understand how they work together.

TRUSTEE: WHAT [AND WHO] IS THE TRUSTEE AND WHAT IS SO SPECIAL ABOUT HIM/HER/IT?

A “trustee” holds legal title to the corpus/principal/property/resource of the trust. Although a trust can exist without a written agreement, in special needs planning, there must be a written agreement in order to define the limitation of the Beneficiary’s access to the resource. As stated earlier, the resource can be owned by Legal or Equitable title. Legal title ownership allows the holder to distribute the resource to or for the beneficiary who then enjoys the resource.

It is not unusual to have more than one trustee. “Co-Trustees” all have the same “duty” to the beneficiary, although they may bring different expertise to the role.

A fundamental foundation of being a trustee is that a trustee acts as a “fiduciary” with a special duty to protect the beneficiary and serve with the highest standard of conduct according to his trust relationship. In one case the “duty” was described as:

“Many forms of conduct permissible in a workaday world for those acting at arm’s length, are forbidden to those bound by fiduciary ties. A trustee is held to something stricter than the morals of the market place. Not honesty alone, but the punctilio of an honor the most sensitive, is then the standard of behavior.”¹

“The most fundamental duty owed by the trustee to the beneficiaries of the trust is the duty of loyalty.”² One Kentucky statute references the “Prudent Man” standard applying duty to what an individual would treat his own affairs.³ This standard can be found in all states because it flows from the “common law.”

The standard of “fiduciary” requires that the trustee act at the highest level of consideration strictly in favor of the beneficiary and no other. Trustees’ abilities may vary but the standard of duty remains the same: as high as the trustee can provide. A bank may have more financial expertise than an individual with no financial background. However, the focus for the trustee remains in the favor of best efforts in all regards for the beneficiary. And especially in the case of sole benefit trusts, ONLY for the beneficiary.

Regardless of how many trustees or Co-Trustees are serving, they all have the same Fiduciary duty to the beneficiary. And may have duty to assure each other are properly serving that capacity. A trustee may hire agents to perform unique tasks such as hiring a bank to hold invested funds or caregivers to provide care to the beneficiary. But a trustee cannot delegate its entire Fiduciary duty and avoid liability in the event of a loss to the trust.

WHO CAN BE TRUSTEE

Any person and many companies are permitted to act as trustee(s) of a trust. Parents, siblings and children, if past the legal age of majority and not prohibited by law, can serve as trustee. But in special needs planning, with the requirement of knowing the special rules involved with public “needs based” benefits eligibility as in SSI and Medicaid, Professional trustees with specific training in the eligibility rules are well suited to serve. Banks and Trust companies, attorneys and some CPAs may qualify to serve, but it is very important to do one’s due diligence to interview the options to assure a good fit. Remember, individuals have limited life expectancy where corporations and Trust companies rarely do.

THE ADVISORY COMMITTEE

An Advisory Committee can help in assuring that adequate expertise is brought to bear in the administration of the trust.

An Advisory Committee can be required for the trust if written into the agreement or if agreed upon by the principals involved. The role of the Advisory Committee can vary depending on the needs for the administration of the trust. Examples may include legal assistance, financial and investing assistance,

¹ *Bryan v. Security Trust Co.* 296 Ky. 95 (Ky. 1943).

² Kentucky Estate Administration, Fifth Edition, University of Kentucky Office of Continuing Education, copyright 2014. Chapter 13, §B.

³ KRS 386.710.

special needs benefits expertise, personal involvement with the everyday experience of the beneficiary. The Advisory Committee can also be granted authority to remove and replace the trustee(s).

A good mix is a family member/caregiver/guardian, an attorney or CPA, and a social worker familiar with needs based benefits or the special needs of the beneficiary. Unless designated in trust agreement, there is no limit on who participates. The Advisory Committee also has a Fiduciary duty relating to the beneficiary, to the extent of their role. If there is expertise, the Committee is charged with using that expertise as well as their general knowledge and abilities on the benefit of the beneficiary.

How often the Committee meets, depends on the needs of the beneficiary and trustee.

ASKING THE COURT FOR PERMISSION TO CREATE A SPECIAL NEEDS TRUST

For legal purposes, a guardian is an agent of the Court. The Court has made a determination that the individual needs intervention from the state in order to protect her/his person or treasure. Most often, in special needs planning, the consideration is preserving one's right to remain eligible for needs based public benefits that are the very financial essence of life support. Even a small fund can bring a quality of life to a beneficiary that otherwise he or she would not have. Based on this, the Court itself in its role of *parens patriae* should see its role as being served in approving the creation of a special needs trust for the person under guardianship.

When needed, the guardian will petition the Court for an order to create a special needs trust for the respondent.⁴ Typically a memorandum explaining the law and the details (facts) of the case accompanies the petition. The rule with SSI is that if the actual agreement is submitted to the Court to be "approved," it is not "created" by the Court and would not be considered an exempt resource. This has proven to be a stumbling block in several cases in recent years. If a draft is submitted as an example and then the Court orders a special needs Trust to be drafted for and executed by the Guardian, this is an acceptable approach to qualifying for the trust.

If the Court authorizes the creation of the Trust and the setting aside of the resources by the Guardian for the beneficiary, a qualified attorney can draft the document, have it executed by the Guardian and submit it to the Court for the record. The next step is to "fund" the trust.

FUNDING A SPECIAL NEEDS TRUST

Funding a trust means to title the account as though the legal title belongs to the trustee(s). Because a trust is not typically a legal entity, it is not the owner of the corpus, the trustee is an individual person or in the case of a bank or trust company, a corporation or other legal entity. A law firm, if structured as a corporation or professional limited liability company (PLLC) can act as a trustee and hold title to the resource. The typical professional trustee will create a bank account, using either the social security number of the beneficiary (in a d4A trust that is taxed to the beneficiary) or by applying for an Employer Identification Number or Tax Identification Number from the IRS and then creating a bank or investment account.

Not all trusts hold cash or investments, some may hold real property or insurance policies. However, in order to distribute anything for the beneficiary, there is likely to be a bank account to pay providers or to purchase benefits.

⁴ A form Petition is attached as Exhibit A following this article.

IN CONCLUSION....

Special Needs Planning is complex, unusual to most attorneys, including traditional estate planners because of the importance of assuring that the SSI and Medicaid resource and income rules are not breached, intentionally or innocently. Social Security is an administrative agency and “fairness” is not part of the regulation process. For administrative agencies the law is “black letter law” and the agency is limited to objective interpretation of what is on the page, not what should be fair. It is vitally important to find a qualified, experienced, special needs attorney for counsel as well as a qualified, experienced professional trustee to protect the vitally important benefits of the beneficiary.

The attorney members of the Special Needs Alliance, Inc. are knowledgeable and have trained specifically for counseling clients regarding Special Needs Trust planning and public benefits eligibility. You can find a qualified Special Needs Trust attorney through the Special Needs Alliance, Inc. at www.specialneedsalliance.org.

See, Exhibit Petition to create a Special Needs Trust following:

COMMONWEALTH OF KENTUCKY
_____ DISTRICT COURT
MENTAL HEALTH DIVISION
CASE NO. _____

IN RE: THE MATTER OF _____, a disabled person

PETITION TO CREATE A SPECIAL NEEDS TRUST

* * * * *

Comes _____, duly appointed Guardian for _____, a person with disability, through counsel, and for his Petition states as follows:

- 1) _____, the Respondent in this matter, is the surviving child of _____, deceased.
- 2) _____ is the named beneficiary of a life insurance policy in the amount of \$10,000 payable on the death of _____ which if paid to _____ would cause of loss of Medicaid eligibility due to her then having an excess of available resources.
- 3) The insurance company has advised the undersigned that the legal representative is the only person qualified to accept and sign for the death benefit on behalf of _____.
- 4) Medicaid allows a qualifying special needs trust with terms mandated by 42 U.S.C. 1396p (d)(4)(A) [containing a Medicaid payback provision on terminating the trust] having _____ as beneficiary, to hold the insurance proceeds and supplement her life style, exempt from resource consideration.
- 5) The required trust must be created by a "parent, grandparent, guardian, court or the individual beneficiary."
- 6) As a person found by this Court to be legally disabled, _____ is herself unable to create the trust.
- 7) The Guardian is aware of the impact that receiving the insurance payment would have on the Medicaid eligibility of _____ which Medicaid eligibility provides a special waiver benefit that pays for all of her housing, food and medical benefits and is qualified to serve as Trustee of the special needs trust.
- 8) As Guardian of _____, the undersigned _____ is willing to serve as Trustee of a qualifying special needs trust, along with an Advisory Committee consisting of _____, a practicing attorney with expertise in public needs based benefits such

as Medicaid and SSI; _____, a licensed clinical social worker and
_____, caretaker/sister of the respondent.

WHEREFORE: Petitioner respectfully, moves this Court to grant an Order, that the Petitioner execute as Grantor of a qualifying special needs trust for the benefit of _____ and serve in capacity of Trustee and to accept the death benefit payable to _____ and to hold the fund consistent with Medicaid and other available public benefits rules to exempt the fund from resource consideration, thus preserving her public benefits eligibility.

SEEN AND AGREED:

_____, Guardian

Respectfully submitted,

_____, Esq.
_____ Main St.
_____, KY 40000
800-777-BR549

NOTICE

Notice is hereby given that the foregoing Motion will come to be heard before the _____ District Court, Hall of Justice, _____ Main Street, _____, KY 40000, at _____ AM on the _____ day of November, 20____.

CERTIFICATION OF SERVICE

I certify that a true copy of the foregoing was sent by U.S. Mail or hand delivered to the following on this _____ day of November, 20____.

Hon. Abraham Lincoln
_____ County Attorney
_____ County Courthouse
_____ Main Street, Ste. 2
_____, KY 41701-1762