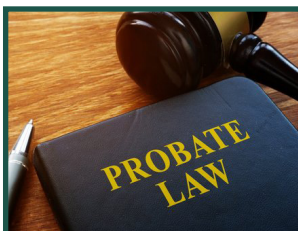


## The Creators of the Caring Family Trust®

**James N. Posey** has been helping people plan their estates since opening his law office in Bethany, Oklahoma, on August 1, 1957. To better serve his clients, he has limited his practice to estate planning, trust administration, probates, real estate law, and forming and servicing small business entities. He is one of the pioneers in the Oklahoma City area to utilize the revocable living trust. In 1981, he was instrumental in obtaining the approval of the Oklahoma and Canadian County Assessors to allow his clients to continue to receive their homestead exemption after transferring their homes into their trusts. He has spoken on trusts and estate planning to civic clubs, senior citizens groups, retired state and federal employees, churches, women's clubs, and groups sponsored by local and national charities, banks, and businesses. He has been a member of the Oklahoma City Estate Planning Council and the Real Property, Probate and Trust Law Section of the American Bar Association.



**Shelly A. Perkins** combines her organizational skills with her passion for assisting individuals and families in getting their affairs in order by preparing their estate plans and administering their trusts as well as advising them through the probate process. Shelly also has broad experience in non-profit law and effectively guides clients



though all stages of the organization's life cycle. After a more than decade-long career in politics, Ms. Perkins earned her law degree from Oklahoma City

University School of Law in 2007. Ms. Perkins is admitted to practice before the U.S. Tax Court and the U.S. District Courts for the Western and Northern Districts of Oklahoma, is a member of the Oklahoma Bar Association and Oklahoma County Bar Association, and is on the Board of Trustees for a non-profit organization in eastern Oklahoma county.

## The Caring Family Trust®

is more than a revocable living trust. It is a complete estate planning package. For most families, it contains every legal document needed for health care, management of property (even during disability), and the transfer of assets upon death – all without the intervention of the courts.

In addition to the trust document itself (which averages 30 to 50 pages in length), the Caring Family Trust® also contains the following estate planning documents:

- “Pour-over” Will
- Memorandum of Trust
- Assignment of Personal Property
- Durable Power of Attorney
- Durable Special Power of Attorney
- Advance Directive for Health Care
- HIPAA Waiver and Release
- Asset Location Log
- Resource Professional List
- Deeds to convey real property and mineral interest

**For a free 45-minute consultation** to respond to your questions and to learn more about the Caring Family Trust® and how such a trust might serve your family, please call 405-789-4611 for an appointment. There is no obligation.



**The Law Offices of Posey & Perkins, P.A.**  
A Professional Association of Independent Legal Service Providers

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## The Caring Family Trust®

A personalized, comprehensive estate plan for you and your family





## The Caring Family Trust®

is a written agreement between you and your Trustee that allows you to have complete control of your money and property during your lifetime. The trust provides instructions for your care and the care of your family, as well as the management of your property, in the event of your disability or death – all without court supervision.

In other words, the Caring Family Trust® lets you control:

- What assets you have
- To whom you give them
- When you give them
- The way you give them

all at the least overall cost to you and your family.

## Management of the Caring Family Trust®

The Caring Family Trust® allows you to choose the manager or administrator of your trust. This manager is referred to as the “Trustee”. Most of our clients choose to serve as his or her own Trustee. Should you choose to be the Trustee, your property will continue to be under your direct and total control during your lifetime. You will continue to pay your bills, buy and sell property, and transact your personal business as you always have.

Upon your death or disability, the “Successor Trustee” takes over the management of your personal affairs. Your Successor Trustee will perform such tasks according to your instructions contained in the Caring Family Trust®.

A well-designed trust gives the Trustee power to do anything necessary to carry out your wishes concerning your care, the care of your family, and your property. You may name your spouse, a child, a friend, one of your professional advisors, a bank, or other institution as Successor Trustee. You may choose to have one or more Trustees serve together as Co-Trustees to share duties in the administration of your trust.



## Benefits of the Caring Family Trust®

• **Personal and Flexible** – The Caring Family Trust® is “revocable” in that you can change or cancel it at any time before your death and for any reason. The trust is “living” because it becomes effective immediately, during your life, and allows you to control all of your property while you are still alive. At your death, the trust serves as your will.

• **Avoids Probate** – The Caring Family Trust® avoids probate and makes it difficult for others to contest or overturn your wishes regarding the disposition of your assets upon your death. Probate is a procedure supervised by the court for transferring your property at the time of your death. It involves some delay in your family receiving your property and certain expenses such as court costs, executor’s fees, and legal fees. Probate laws require that your heirs be given notice that they have the right to question the validity of your will. Additionally, if you own property outside of Oklahoma, a second probate may be required. All of this is avoided with a Caring Family Trust®.

• **Private and Confidential** – Unlike probate, the Caring Family Trust® is entirely private and confidential, requiring no disclosure to the public upon your disability or death. The trust does not require court supervision and reduces or eliminates delay in your family receiving their inheritance. A single trust can be created by a married couple and either spouse can exercise all the powers of the Trustee.

• **Avoids Guardianships** – The Caring Family Trust® will, in most cases, make it unnecessary to appoint a guardian to handle your financial affairs should you become unable to do so by reason of illness, accident, or age. This will avoid the legal expenses and emotional trauma involved in going to court for the appointment of a guardian.

• **Provides for Special Needs** – The Caring Family Trust® can be used to provide for your minor, handicapped, or disabled family members by continuing the trust beyond your death. The trust can be written to protect their inheritance from creditors as well as provide only for “special needs” so they can qualify for or continue to receive governmental assistance such as Medicaid.

