milestone

Settlement Planning & Administration

Our Services for **Plaintiffs**

Investment-backed Structure - An investment-backed structure is a next-generation tool for plaintiffs to spread and grow their settlement over time.

Special Needs Trust - With Milestone's guidance, plaintiffs can utilize a special needs trust to get the most from their settlement while keeping eligibility for income-based government benefits.

Domestic Asset Protection Trust - An unexpected financial event can be catastrophic to settlement funds. A domestic asset protection trust ensures your client's financial future remains protected.

Medicare Set Aside - Beneficiaries risk a denial of coverage for future medical expenses if they do not comply with Medicare's rules. A Medicare set aside is one way to avoid compromising their coverage.

Non-Qualified Assignment - An NQA is a periodic payment plan for taxable settlements. Milestone establishes NQAs that reduce clients' tax burden and provide them with long-term financial security.

Uplevel

Your Service Offerings to Clients

Partnering with Milestone's
committed and responsive team
will elevate any trial lawyer's practice.

Milestone is a financial firm

that optimizes settlement dollars for trial lawyers and plaintiffs. Serving all types of injury law firms nationwide, we provide trusted guidance and financial strategies that last a lifetime.

We provide services designed to ease the distribution and planning of settlement funds, setting plaintiffs up for a secure financial future. This brochure highlights our areas of expertise in settlement planning.

"The team at Milestone

*is terrific at what they do. [They are] an asset. As a firm owner, **having confidence in the Milestone team** has made my job easier and less stressful."*

Investment-**backed** Structured Settlement

An investment-backed structure is a next-generation tool for plaintiffs to **spread and grow their settlement over time.** Instead of receiving their settlement in a lump sum, a plaintiff can establish a periodic payment schedule that provides the funds they need now and allows the rest to grow in a tax-free investment portfolio.

A modern alternative, investment-backed structures typically offer better growth than that of a traditional structured settlement. Investment-backed structures, perfected by Milestone, **maximize the impact of plaintiffs' settlement dollars.**

Key features include:

- **Tax-free or tax-deferred* gains**
- **Fixed, predetermined payment schedule**
- **Customizable payment stream design**
- **A specialized financial advisor**

*Compensation for punitive damages and non-injury settlements are taxable, so periodic payments from these types of income are tax-deferred. Personal injury settlements are not taxable, so the periodic payments and the growth on those payments are tax-free.

Special Needs Trust

Beneficiaries risk disqualification after settlement.

If your client receives means-tested government benefits, receiving a lump-sum settlement could put them over the programs' strict income limits and disqualify them from benefits.

Some of the **benefits at risk:**

- **Supplemental Security Income** (SSI)
- **Children's Health Insurance Program** (CHIP)
- **Supplemental Nutrition Assistance Program** (SNAP)
- **Federally Assisted Housing**
- **Medicaid**

Special needs trusts give families greater control

A special needs trust (SNT) helps plaintiffs stay eligible for their means-tested government benefits after settlement. Using settlement funds to supplement coverage, a special needs trust pays for goods and services that government benefits do not cover. This tool helps **beneficiaries avoid disqualification by keeping them within the programs' strict income limits.**

Some of the resources covered by funds in an SNT include:

- A home
- Home furnishings and personal belongings
- A vehicle
- Essentials for self-support
- Occupational goals, such as the pursuit of a college degree or vocational training
- Life insurance policies
- Burial expenses

Domestic Asset Protection Trust

Avoid risks down the road

When a person receives a settlement, a variety of unexpected future financial issues could put those assets at risk. Divorce, starting a business, or another life event can dissipate the money over time, whereas bankruptcy or another catastrophic loss can be immediately impactful. Both scenarios cause a person to benefit far less from that large lump sum than he or she could have. Establishing a domestic asset protection trust (DAPT) is one way to protect against these risks.

A domestic asset protection trust is

an irrevocable trust that offers an opportunity for lifelong planning and financial protection. The goal is to shield the interest of the beneficiary in such a way that trust assets are firmly protected against creditor claims.

Safely navigate **post-settlement**

Asset protection can only be accomplished in states that maintain compliance with asset protection law. Fewer than half the states in America allow a DAPT. Our firm relies on statutes in states like Nevada, Delaware, and South Dakota in order to provide the best protection against creditors.

Medicare Set Aside

Plaintiffs must comply with **Medicare's interests as a secondary payer to avoid denial of coverage.**

When a Medicare beneficiary obtains a personal injury settlement or workers compensation claim, those sources are responsible for covering their medical expenses before Medicare does.

A Medicare set aside is funded with a portion of a plaintiff's settlement. The account pays toward future health care expenses associated with the injury – which Medicare would otherwise have to pay. That way, Medicare remains the secondary payer and the beneficiary does not risk losing benefits.

Taking a streamlined, systematic approach to the process will ensure beneficiaries set up their program properly and keep their Medicare eligibility.

Non-qualified **Assignments**

For taxable settlements, plaintiffs can achieve tax deferral, earn interest on pretax earnings, and receive tailored planning.

Cases that do not involve personal bodily injury are taxable. Accepting settlement as a lump sum would impart the largest taxation on the plaintiff's settlement value. In cases that are not considered bodily injury claims, it may be beneficial to establish a non-qualified assignment (NQA).

This strategy allows the plaintiff to **spread their settlement into payments over time instead of receiving it in a lump sum.** The plaintiff only pays taxes on the amount in payments they receive in a year, while the rest grows in a tax-deferred investment account.

A non-qualified assignment (NQA) has a wide array of applications in non-personal injury cases, such as:

- **Construction defects**
- **Contract disputes**
- **D&O and E&O claims**
- **Employment litigation**
- **Environmental claims**
- **Punitive damages**

"We as litigators
can help maximize our clients' recoveries.
When we are looking to partner with a settlement planning company, we have to assure that they're looking out for the client's best interest. We chose Milestone to refer our client to because **they've always done right by our clients,** and have always chosen wisely for our clients in terms of investment planning options. I frankly don't know how lawyers are taking care of their clients if they're not partnering with a company like Milestone."

– An Attorney Client

milestone

855.836.2676 | 716.883.1833

milestoneseventh.com

INFO@MILESTONESEVENTH.COM

737 Main Street | Suite 100 | Buffalo, NY 14203