

# Connelly Law Offices, Ltd.

## Elder Law Attorneys



Connelly Law Offices is an elder law firm that specializes in estate planning and probate law, as well as a variety of fiduciary services. To ensure that our clients' assets are not only protected throughout their lives, but after they pass away as well, our firm helps clients create clear and concise estate plans designed to safeguard your assets.

For clients who are facing probate regarding a loved one's estate, we have the tools to assist them throughout the entire process. We also have the ability to help elderly clients who wish to plan for retirement, need fiduciary assistance, or need representation during an elder exploitation case.

We offer our clients the highest quality of legal representation and are licensed to practice before the Rhode Island, Massachusetts, Connecticut, and Federal Bars.



855-724-9400  
www.connellylaw.com

## RJ Connelly III

Attorney and Counselor at Law

Certified Elder Law Attorney  
Member National Elder Law  
Foundation  
Member National Academy of  
Elder Law Attorneys



RJ Connelly III has been recognized with many honors for outstanding achievement in legal representation, client service and client satisfaction. These awards include:

- 2017 Lawyer's of Distinction "**Estate Planning Award**"
- 2016-2017 Who's Who for "**Top Attorney's of North America**"
- 2016 "**10 Best Estate Planners**" by the American Institute of Legal Counsel
- 2016 "**Elder Lawyer of the Year**" by Lawyer's Monthly Magazine
- 2011 Alliance for Better Long-Term Care's **Hero Award**

At Connelly Law Offices, Ltd. we are dedicated to providing our clients with the highest quality of legal representation in the area of Wills, Trusts, Probate and Trust Litigation.

Call us today at **855-724-9400**

### Rhode Island Office

372 Broadway  
Pawtucket, Rhode Island 02860-2860  
**401-724-9400**

### Connecticut Office

60 Willow Street  
Mystic, CT 06355  
**855-724-9400**

Disclaimer: Certified Elder Law Attorney, as designated by the National Elder Law Foundation, is the only organization approved by the American Bar Association to offer certification in the area of elder law. Only Patent Attorneys, Proctors in Admiralty and Certified Elder Law Attorneys are recognized specialties by the American Bar Association. Rhode Island, Connecticut and Massachusetts courts license all lawyers in the general practice of law. These courts do not license or certify any lawyer as an expert or specialist in any particular field of practice.

# Connelly Law Offices, Ltd.

## The Probate Process



Wills  
Revocable Trusts  
Irrevocable Trusts  
Special Needs Trusts  
Probate and Trust Litigation  
Guardianships  
Conservatorships

855-724-9400  
www.connellylaw.com

## What is Probate?

When someone dies, they leave behind assets titled to themselves or jointly with another person. Probate, or estate administration requires liquidating the assets, paying down the debts, paying taxes, and distributing the balance among designated heirs.

When probate avoidance planning has not been implemented prior to death, the state will require a probate court proceeding if the deceased was a resident or owned assets in the state.

## Does Having A Will Avoid Probate?

A Will accomplishes the first purpose of estate planning by permitting you to direct the disposition of assets upon your death and avoid your assets passing according to the state's strict statutory scheme.

A Will also permits you to name a personal representative to handle the administration of your affairs after your death. If you have minor children at the time of your death, a Will may be used to name a guardian or conservator to provide for your child's care and support.

Assets distributed under a Will must go through Probate Court and these proceedings will result in additional costs and delays in the administration and distribution of your estate.

## Probate Avoidance

Probate can be a lengthy, costly and public process and many people choose to avoid it. There are a number of legal strategies that the experienced attorneys at Connelly Law Offices will discuss with you that allow you to pass property to another person after death without going through probate.



## Trusts

A Trust is an agreement which determines how assets will be managed and distributed. Trusts are not only for the wealthy as they can provide various benefits to meet asset protection and management purposes.

### *Revocable Trusts*

Revocable trusts are often referred to as "living" trusts. With a revocable trust, the grantor retains complete control over the trust and may amend, revoke or terminate the trust at any time. This means at any time that the grantor can take back the funds he put in the trust or change the terms of the trust at any time.

### *Irrevocable Trusts*

An irrevocable trust cannot be changed or amended by the grantor. Any property placed into the trust may only be distributed by the trustee as provided for in the trust document itself. This type of irrevocable trust is a popular tool for Medicaid planning.

### *Testamentary Trusts*

A testamentary trust is a trust created by a Will. This type of trust has no power or effect until the Will of the decedent is probated. Although a testamentary trust will not avoid the need for probate and will become a public document as it is a part of the Will, it can be useful in accomplishing other estate planning goals.

### *Special Needs Trust*

A Special Needs Trust is a discretionary spendthrift trust created for a person who has a disability or a child with a disability as a way to supplement the person's public benefits.

These public benefits may include SSI, Medicaid, Section 8 housing and other federal or state sponsored assistance programs.

## Guardianships

Guardianship, referred to in some states as conservatorship, is a legal proceeding when an adult can no longer make or communicate safe or sound decisions about his or her person and/or assets. The individual may also become susceptible to fraud or undue influence, leaving them vulnerable to scam artists or identity thieves, neglect, self-neglect or exploitation.

Guardianship provides protection and care for adults with dementia, mental illness, other cognitive impairments or those who need limited alternate decision makers.

Having filed more guardianship petitions than any other law practice in Rhode Island in cases of exploitation, neglect and self-neglect, Connelly Law has been the go to firm of choice for many state and private agencies.

## Court Appointed Fiduciary

When a court appointed fiduciary is desirable, Connelly law has over two decades of experience. Our fiduciary services include serving as a trustee, as an estate executor or as a guardian in matters concerning trust or estate administration or litigation.

## Why Connelly Law

Probate law is a unique and complex field. That's why it's important to work with an attorney who's ready to handle probate cases. With an in-depth understanding of the complexities and requirements involved in probate cases, Connelly Law Offices offers the competent legal representation you need while handling your case with the care, respect and compassion you and your loved ones deserve.

Each and every case is given personal oversight by RJ Connelly, III and his team of dedicated legal and fiduciary professionals.

Call us today at **855-724-9400**