

available to victims of Nazi persecution who have received and/or are currently receiving payments (that may have added up to several hundreds of thousands over the years) from Germany, Austria or the Netherlands.

Please note that the payments received over the years **need not** to have been placed in separate accounts. The law-firm offers the following services:

- 1) To review the entire compensation history to determine a dollar amount for which an exemption may be claimed.
- 2) To review current holdings to determine which accounts are appropriate for transfer to the 'Trust'; and
- 3) To establish a 'Victim of Nazi-Persecution Compensation Trust', funded exclusively with **exempt** funds.

If the survivor does not have complete records, the law-firm will obtain the payment-history on his/her behalf.

Evidently, it is not possible to foresee if and when anyone might need nursing home care, but some studies report that up to 35% of the general public will need long term care.

This 'Trust' might be of interest to survivors:

- who received either regular payments throughout the years or a significant sum for looted assets, **AND:**
- these payments added up to a substantial amount over the years, **AND:**
- the survivor has still sizable assets and would want to shield the restitution-proceeds he/she had received.

The law-firm partners, who are themselves children of survivors, have informed us that:

- the fees for this service are not based on the size of the assets to be sheltered (no percentages);
- the fees will be \$2,000 for an individual and \$3,000 for a couple.

There may be other details of which we are not aware; if interested, please call Barbara or Michael Lissner for further information at: (212)307-1499.

INFO on MEDICAID & TAX SHELTERS of RESTITUTION PROCEEDS :

As you probably know, Medicare does not pay for nursing homes. Currently, a Senior who is forced to enter a nursing home must deplete all his savings above \$3,600 before he/she becomes eligible for Medicaid.

NAHOS received several communications (and subsequent requested clarifications) from a law firm in Manhattan that has developed a specialized "Nazi-Victim Compensation Trust".

The advantage of such a trust is asserted to be that all 'Reparations', Pensions and/or property-restitutions received over many years (conceivably going back as far as 1950), would be sheltered from being counted as assets by Medicaid, both during and after the life of the Holocaust survivor. This exception from general Medicaid planning guidelines is only

Excerpted from:

NAHOS

THE NEWSLETTER OF THE NATIONAL ASSOCIATION OF JEWISH CHILD HOLOCAUST SURVIVORS

An Independent not-for-profit organization of United States Survivors who were Children or Teenagers during the Shoah; who endured camps or Ghettos, or were hidden by Righteous Gentiles; who survived in the forest or were constantly on the run; who joined the Partisans or who managed to flee from Nazi-territory. United!

THE ONLY MAJOR SURVIVORS' NEWSLETTER IN THE TRI-STATE AREA THAT INFORMS ITS READERS ON A MONTHLY BASIS

other people on the list.

If you are one of the persons on the list or if you know someone on this list, please have them get in touch with Henry Wellisch.
e-mail: Kelwel@iname.org

ASSET PROTECTION FOR VICTIMS OF NAZI PERSECUTION

The following is a reminder that there is a method of protecting a significant portion of your assets (those obtained in the form of restitutions/compensations) in the event that the need arises for long-term health care.

Here are some excerpts of a fact sheet, prepared in March 2001, at the request of the Library of Congress:

Method: a "Victim of Nazi Persecution Compensation Trust"

- allows eligible persons to receive Medicaid, **without 'spending down'** their assets to poverty levels as normally required;
- allows the complicated and time-consuming task of preparing a restitution payment history to be completed before the time constraints of a Medicaid application begin; and
- allows **currently held** assets to be recognized as restitution payments in the eyes of the Health Care Financing Agency ("HCFA").

Advantages of such a Trust:

- Provides Medicaid exemption for multiple assets.
- Unifies assets under one entity.
- Allows Grantor to maintain control of disposition of assets.
- Allows client to retain assets in his or her individual name.
- Provides flexibility due to its revocability.
- Provides directions for asset management in the event of incapacity without the necessity of guardianship proceeding.
- Eliminates burden on spouse or next-of-kin to guess Grantor's intent in the event of incapacity.
- Empowers family members to taken action on behalf of Grantor, since assets remain

- under Grantor's control.
- Simplifies distribution of such assets to multiple beneficiaries.
- Obviates Medicaid estate recovery provisions.

Eligibility: Persons must be:
* American citizens or resident aliens; and
* Former victims of Nazi persecution; and must also either:
* have received and/or currently receive compensation in the form of 'Wiedergutmachung', pension (German/Austrian social security) or property claims from Germany, Austria or other occupied areas, or
* anticipate receipt of newly available funds from recent settlements.

Common Misconception:
That the creation of such a trust can be postponed until a person becomes ill and in need of extended care when, in fact, such deferral may only result in the unnecessary and irrevocable expenditure of funds that could have been preserved.

For more info and/or for examples call or write to : Lissner & Lissner, LLP, 250 West 57th Street, N.Y. 10107. Tel: 212-307-1499
e-mail: mlissner@lissnerlawfirm.com

BEST WISHES & CONGRATULATIONS ! Birthdays

Belated :

Cooper, Hanna	March	14
Infeld Glaser, Fela	March	29
Sroka, Nelly	April	1

Current:

Steinhorn-Roth	April	12
Lubetsky, Bertel	April	13
Schulps Madeleine	April	13
Heymann, Leny	April	14
Lobel, Lilian	April	14
Rechter, Toni	April	15
Linzer, Elizabeth	April	15
Frishberg, Sally	April	16
Kirschenbaum, Ethel	April	20
Morgan Catheryne	April	21
Berger, Noah	April	22
Margolis, Greta	April	23
Glazer, Roseline, Sh	April	24
Friedman, Esia Baran	April	27
Freiman ,Ruth	April	28
Haas, Arie Leopoldo	April	28
Binford, Mira	April	29
Epstein, Rachel	April	29
Hacker, Ernst	April	29

Boiangiu, Jilly	May	1
Feldman, Miriam	May	1
Gordon, Frida	May	1
Gruber, Dave	May	1
Cwern, Rita	May	1
Kratzer, Jean	May	1
Miller, Jita	May	3
Brandeis, Esther	May	5
Elberger, Sam	May	5
Gutman, Sylvia	May	5
Lipiner, Edward	May	6
Salsitz, Norman	May	6
Morrison, Jeannette	May	8
Shapira, Madeleine	May	10
Jacobson, Rudolph	May	11
Campbell , Yvonne	May	12
Hirschhorn, Gustav	May	12
Sobel , Eleanor	May	12
Preisiz, Magda	May	12
Chernoff, Martha	May	13
Adler, Fedor	May	14
Rustov-Wreschner, Marg.	May	14
Szmarag, Ruth	May	14
Dembovich, Lola	May	15
Silberstein, Fred	May	15
Reichman, Vera	May	15
Zarucki, Rose	May	16

WHERE TO GO: WHAT TO SEE:

MANHATTAN:

1) New Century Artists, Inc;
168 Mercer Street (betw. Houston & Prince). **Exhibition:** 'Reflections on The Holocaust', works by Holocaust Survivors and Friends, including by NAHOS members Fran Brill, Judith Goldstein, Arie Leopoldo Haas, & others.
Hours: Tues.-Sun: 11AM to 6PM
On **Wednesday, April 11th**; 6.30PM Survivors will talk about the Holocaust and their artwork.
Tel: 212-431-5353

2) The Rosenthal Institute; Free University Lecture Series on Wednesdays; 6.15PM- 8PM; at the Graduate Center, CUNY, 365 Fifth Ave (at 34th); concourse 204-205
April 18th: Dr. Harvey Rosenfeld: "Arthur Miller, a Perspective on the Holocaust".
May 9th: Dr. Dorit B. Whiteman: "Escape via Siberia- A Jewish Child's Odyssey of Survival".

3) YIVO; 15 West 16th Street; Film & Discussion, **April 23, 6.30 " The Kastner Trial"**
Seniors \$3.50; for tickets call: 917-606-8200