

# Lewiston-Auburn Response Fund

## 4 things to do before you start your Category A application

There are things you need to consider and forms you should complete and have ready to upload with your application. Applications will be available around January 5<sup>th</sup>.

### 1. Decide who will get the money

In **Category A**, if the person who was killed had a Will, payment will be made to the people listed as heirs in the Will. If the person who was killed did not have a Will, we will generally look to the intestacy laws of the state of Maine to identify the legal heirs to be paid (If person was married and had kids, spouse and kids are the legal heirs; if person was never married and had no kids, parents are the legal heirs, etc.) but there are some special circumstances addressed in the Final Protocol. We can divide the money up among the family any way the family likes if all legal heirs agree. Regardless of whether there was a Will, every person receiving money under Category A, must submit with their application a "Consent to Distribution Form" which is signed, notarized, and indicates the percentage of the family's gift they are agreeing to. All forms submitted for that family must total 100%. Attached are the "Consent to Distribution" forms.

### 2. Decide how you want to be paid

- A. There is absolutely no restriction on where the funds go or how they are used. You can be paid by check or ACH transfer (See attached form).
- B. However, if you receive public benefits, please see the section below to consider the impact. We **recommend** that you work with a certified financial planner so the money can do whatever you want it to do.

### 3. Decide where the money will be deposited

- C. **If the person receiving the money is an adult** there is absolutely no restriction on where the funds go or how they are used. However, if you receive public benefits, please see the section below to consider the impact. We **recommend** that you work with a certified financial planner so the money can do whatever you want it to do.
- D. **If the person receiving the money is under the age of 18 and is receiving the money under an application in Category A** (such as a child whose parent was killed), the money must be paid to custodial bank account to ensure that the funds are safeguarded and used for the health, education, welfare, and support of the child while the child is growing up. Once the child reaches the age of 21, they will have the money free and clear and can use it as they wish.

**The Custodian of the account (Usually a Parent or Guardian) will get to choose:**

- In which bank they want to open the custodial account
- How the money should be used for the child's benefit before the child is 21 years of age

- Custodian must complete the attached UTMA certification form.

#### **Androscoggin Bank**

To set up a UTMA account at Androscoggin Bank, contact Sharon Goes who will schedule apportionments to ensure a smooth and easy experience for everyone.

sgoes@androscogginbank.com

cell phone [207-577-7237](tel:207-577-7237)

#### **Bath Savings Bank**

Any of the Customer Service Representatives will be able to help you set up a UTMA account.

## **4. Consider your Public Benefits**

### **Do you receive any of the following public benefits?**

- Public Assistance/Cash Assistance/TANF
- SNAP/Food Stamps
- Medicaid/MAGI
- SSI/Disability
- SSD/Disability
- Veterans Benefits
- Rental Assistance/Shelter
- Section 8 Housing
- Public Housing/BMHA/HUD/rapid rehousing/SPOA
- Medicare/Medicare Part D
- Children's Health Insurance Program/CHIP

If you answer "yes" to any of the above, when the government learns about the gift you receive from us, it could possibly impact your ability to continue to receive these public benefits. Receiving public benefits will not have any impact whatsoever on the size of the gift that you receive from the fund. We also want to ensure that any gift you receive from the fund does not jeopardize your public benefits. If you receive public benefits, please contact Pine Tree Legal Assistance to be referred to a pro bono (free) attorney who will look at your specific situation and benefits and offer you legal advice on what you can do to protect your public benefits.

The attorney may advise you that the gift you receive will have no impact on your benefits. Or the attorney may recommend the creation of a "special needs trust" so your gift does not disqualify you from any of your public benefits. It is always **your choice** how to proceed, but we want you to make an informed choice as to what option is best for you, so you do not have any unexpected consequences. If you have public benefits and a minor is receiving the money, you should get legal advice on your benefits **before** you create a trust.

#### **Pine Tree Legal Assistance**

207-774-8211

PTLA.org



## Lewiston-Auburn Response Fund Consent to Proposed Distribution Plan

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Learn more about the Fund's Protocol at [MaineCF.org/Lewiston](http://MaineCF.org/Lewiston)

This Consent Form indicates your agreement with the Proposed Distribution Plan submitted for compensation from the Lewiston-Auburn Response Fund (the "Fund") for the claim submitted on behalf of \_\_\_\_\_ (the "decedent"). In accordance with the terms of the Fund's Protocol, the distribution of the amount of the Fund's compensation to all persons entitled to recover for the death of the decedent requires that all persons entitled to recover, including all the decedent's known legal heirs and beneficiaries disclosed to the Maine Community Foundation, agree to be bound by the terms of the Protocol. The Protocol can be reviewed by visiting the Fund's website at [MaineCF.org/Lewiston](http://MaineCF.org/Lewiston)

By signing below, you agree to the allocation of \_\_\_\_\_ % set forth in the Distribution Plan within the Application.

Please fill out one Consent to Distribution Form per beneficiary indicating the percentage for each. NOTE: If any dispute exists over the terms of the Distribution Plan in the Application, which cannot be resolved by the parties, the Administrator will, in its discretion, determine the distribution amount.

Printed Name of Heir/Beneficiary \_\_\_\_\_

Signature of Heir/Beneficiary \_\_\_\_\_

Date \_\_\_\_\_

Notary  
Signature \_\_\_\_\_

State of \_\_\_\_\_ County of \_\_\_\_\_

The foregoing instrument was subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024 by

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My Commission expires:

Affix Seal Here



**TRANSFER UNDER THE MAINE UNIFORM TRANSFERS TO MINORS ACT**

I, Jeffrey R. Dion, as Administrator of the Lewiston-Auburn Response Fund, transfer to

\_\_\_\_\_ (name of parent/custodian), as custodian for \_\_\_\_\_

(name of minor) under the Maine Uniform Transfers to Minors Act, the following:

A CHARITABLE GIFT from the Maine Community Foundation in the amount determined by the Local Steering Committee for validated applicants, in recognition of the psychological trauma experienced by the minor as a result of the October 25, 2023, shootings at Just-In-Time Recreation and Schemengees Bar& Grill.

A handwritten signature in black ink that reads "Jeffrey R. Dion". The signature is written in a cursive style with a large, prominent "D" at the end.

\_\_\_\_\_ (name of custodian) is prepared to receive the funds described above as custodian for the minor named above under the Maine Uniform Transfers to Minors Act, Title 33 - Property, Chapter 32 of the Maine Code (the "Act") and assumes the duties set forth in the Act. The custodian shall observe the standard of care that would be observed by a prudent person dealing with property of another. The custodian at all times shall keep custodial property separate and distinct from all other property in a manner sufficient to identify it clearly as custodial property of the minor. The custodian shall keep records of all transactions with respect to custodial property, including information necessary for the preparation of the minor's tax returns. The custodian may deliver or pay to the minor or expend for the minor's benefit as much of the custodial property as the custodian considers advisable for the use and benefit of the minor.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Custodian

Sworn and subscribed before me this \_\_\_ day of \_\_\_\_\_ [month], 20\_\_ [year]

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_



**ACH Electronic Funds Transfer Authorization**

This is an authorization agreement for Automated Clearing House (ACH) pre-authorized payments to your account. The undersigned hereby authorizes The Maine Community Foundation, Inc. to originate credit entries via the Automated Clearing House to the account indicated below at the Depository Financial Institution named below, to accept and to credit the amount of such entries to the account.

Is this New, or Updated ACH Information for your organization?     New     Updated

**IDENTIFICATION:**

Name (as shown on bank account)	
Tax ID Number	
Address	
Contact Name and Title	
Accounting Email for Remittance	

**BANKING INFORMATION:**

Bank Name	
Bank Address	
Bank Routing Number	
Bank Account Number	
Account Type	<input type="checkbox"/> Checking <input type="checkbox"/> Savings

**PLEASE PROVIDE A COPY OF VOIDED CHECK OR BANK LETTER WITH THIS FORM**

**AUTHORIZATION:**

Name	
Title	
Phone	
Email	
Date	
Authorized Signature	

This authorization will remain in effect until written notification has been given by the recipient and that notification has been received by The Maine Community Foundation, Inc. In addition, The Maine Community Foundation, Inc. in its discretion, may terminate the recipients' ability to participate in the Electronic Funds Transfer system. Any termination will take effect only after all entries originated by The Maine Community Foundation, Inc. have been honored by the bank.