Oregon State Bar

ELDER LAW NEWSLETTER

SPECIAL EDITION

Volume 29 Number 1

Dear Elder Law Section Members,

We are excited to introduce our "**Back To Basics**" series, where we will cover topics focused on strengthening the fundamentals of elder law and beyond. Over the coming weeks, we will be releasing issues in quick succession to bring you timely and practical information on these important subjects.

As your former Section Chair and co-chair of the Elder Law Newsletter, **I want to extend my sincere gratitude for your continued dedication and support.** The time and effort you contribute—whether through newsletter development, CLE programming, or legislative review—are vital to the strength of our section.

If you are not yet involved in a subcommittee, I encourage you to consider joining. It's an excellent opportunity to connect with colleagues, deepen your knowledge, and contribute meaningfully to our community. **Thank you for all you do and for being part of this section.**

Alana J. Hawkins

Protective Proceedings for an Adult

Practical guide to adult protective proceedings basics


by Daniela Holgate, Partner (left) & Josepheen Strauss, Associate (right)
Samuels Yoelin Kantor LLP

What is a protective proceeding?

A protective proceeding is a case that seeks the appointment of a fiduciary with authority to make decisions for an adult[1] with diminished capacity. A person for whom a protective proceeding is established is called a "protected person." See, Oregon Revised Statutes (ORS) 125.005(7). The most common protective proceedings are guardianships, where a guardian is appointed to make health and safety decisions for a protected person, and conservatorships, where a conservator is appointed to make financial management decisions for a protected person. A protective proceeding also includes protective orders that have the effect of protecting a person or their property for a limited purpose, when the circumstances don't quite fit into the broader scope of a guardianship or conservatorship.

A court may appoint a guardian for an adult if the court finds by clear and convincing evidence that (1) the adult is incapacitated, (2) the appointment of a guardian is necessary as a means of providing continuing care and supervision of the adult, and (3) the nominated guardian is both qualified and suitable and is willing to serve as guardian. See, ORS 125.305(1). "Incapacitated" is defined as "a condition in which a person's ability to receive and evaluate information effectively or to communicate decisions is impaired to such an extent that the person presently lacks the capacity to meet the essential requirements for the person's physical health or safety." See, ORS 125.005(5). A person cannot "meet the essential requirements" if they lack the capacity to take the necessary action to provide for their "health care, food, shelter, clothing, personal hygiene, and other care without which serious physical injury or illness is likely to occur." Id.

A court may appoint a conservator for an adult if the court finds by clear and convincing evidence that: (1) the adult is financially incapable and (2) the adult has money or property that requires protection. See, ORS 125.400. "Financially incapable" is defined as "a condition in which a person is unable to manage financial resources of the person effectively for reasons including, but not limited to, mental illness, mental retardation, physical illness or disability, chronic use of drugs or controlled substances, chronic intoxication, confinement, detention by a foreign power, or disappearance." See, ORS 125.005(3). A person is "unable to manage financial resources" if they cannot take actions necessary "to obtain, administer, and dispose of real and personal property, intangible property, business property, benefits, and income." Id.

Generally, a petition for guardianship and/or conservatorship will seek the appointment of the guardian and/or conservator for an indefinite period. Meaning, for guardianship, the guardian would remain in place until either the protected person regains capacity or dies. For a conservatorship, the conservator would typically remain in place unless the protected person is no longer financially incapable, no longer has money or property that requires protection, or dies. A conservatorship could also be terminated if the protected person's assets have an aggregate value, after expenses and claims, of $10,000 or less, and it would be more economical for a guardian or other person to manage the protected person's finances. See, ORS 125.535.

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If a guardianship or conservatorship is not the right fit to protect a vulnerable adult, a protective order under ORS 125.650 may be the right mechanism to provide standalone or additional protection. A protective order typically will provide a narrowed scope of authority to address a particular task that needs to be accomplished. Under ORS 125.650(2), a court issuing a protective order "may exercise any power that could be exercised by a guardian or conservator in a protective proceeding, or any power that could be exercised by the court in a protective proceeding in which a fiduciary is appointed." Some common uses for a protective order would include establishing and funding a special needs trust, addressing the titling of a marital asset for Medicaid planning purposes, or making a one-time placement decision.

Initiating a Protective Proceeding

A protective proceeding is initiated with the filing of a petition. In preparing a petition, a petitioner should not only provide all the required information under ORS 125.055 but should also provide a thorough explanation of the specific facts that support each statutory element for the appointment of the type of fiduciary requested. Upon filing a petition, the vulnerable adult is referred to as the "respondent." See, ORS 125.005(10).

The respondent and other interested parties under ORS 125.060 must be served a copy of the petition, with a notice, at least 15 days before the final date for the filing of objections to the petition. See, ORS 125.065-070. The respondent and others may present objections to a petition. If objections are made, the court must schedule a hearing. See, ORS 125.075.

A petitioner must be prepared to meet their burden of proof for the appointment of their requested fiduciary at a hearing. For the appointment of a fiduciary with guardian-type authority, a petitioner should be prepared to present the court with admissible evidence from multiple reliable sources that the adult is incapacitated and that they will need the ongoing intervention of a guardian to "meet the essential requirements" for physical health and safety. The court visitor[2] assigned to the case will often be the most crucial witness. Other important witnesses may be close family members, medical providers, hospital social workers, and caregivers.

For the appointment of a fiduciary with conservator-type authority, in addition to establishing financial incapability, a petitioner should be prepared with evidence on the nature of the adult's assets and evidence supporting their allegation that the adult has been unable to effectively manage their financial resources. Additional witnesses may include financial advisors, bank managers, and Adult Protective Services investigators.

Less Restrictive Options

Protective proceedings involve a variety of unique considerations and are by no means "one-size-fits-all." In evaluating whether a protective proceeding is the appropriate option, an attorney should consider the underlying issue(s) causing the need for protection, the minimal amount of authority their client would need to provide protection, and

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whether there may be other options that avoid a protective proceeding entirely. A protective proceeding is considered the most restrictive option for assisting vulnerable adults with decisions and should only be utilized if there are no less restrictive alternatives.

When filing a petition for a protective proceeding, ORS 125.055(2)(i)(A) requires that the petition provide details about the less restrictive alternatives to the appointment of a fiduciary that have been considered and why these alternatives are inadequate. Some less restrictive alternatives to consider include supportive decision-making, utilizing estate planning documents, family and individual counseling, placement of caregivers in the home, or appointing a representative payee to manage funds from the Social Security Administration.

Additionally, in making a guardianship order, a court must tailor the order to be "no more restrictive upon the liberty of the protected person than is reasonably necessary to protect the person." See, ORS 125.305(2). In determining the scope of the guardianship order, the court "shall consider the information in the petition; the report of the visitor; the report of any physician, naturopathic physician, or psychologist who has examined the respondent, if there was an examination; and the evidence presented at any hearing." Id. ♦

For additional information on protective proceeding basics:
https://www.courts.oregon.gov/programs/family/guardianship-conservatorship/Documents/Protective.Proceedings.BenchBook.pdf

For additional information on less restrictive alternatives:
https://thearcoregon.org/
https://www.droregon.org/project-independence

[1] Protective proceedings can also be established for minors. However, minor protected proceedings are beyond the scope of this article.

[2] Court visitors are appointed by the court to conduct an independent investigation regarding the veracity of the petition and provide a recommendation regarding whether a protective proceeding is appointed. Court visitors are required for petitions for the appointment of a guardian. See, ORS 125.150(1)(a)(A). However, a court visitor may be appointed for other types of protective proceedings. See, ORS 125.150(1)(c).

About The Authors:

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Estate Administration in Oregon

A Primer For New Attorneys


by Laura S. Nelson (left), Owner/Attorney, Laura S. Nelson Law, PLLC & Carlotta Alverson (right), Partner/Attorney, Hearthstone Law

Estate administration can be a great area of practice to explore for practitioners who want to use their skills advising clients through a mix of complex legal, financial, and emotional issues. It's people-centered work. Success in this practice area will include knowing where to find reliable guidance, using your resources, and understanding the statutes that direct the process.

This article will focus on representing clients who are fiduciaries as either an *affiant* or *personal representative*. What role your client plays depends on whether probate is required. Probate is the court-overseen process of appointing a living person to represent a deceased person's estate, resolve creditor issues, and transfer assets to the deceased person's heirs (commonly known as next of kin) or devisees (those who take under the deceased person's last will and testament). The person the court appoints to represent the deceased person's estate is called the personal representative. The statutes governing the probate process are located in ORS Chapter 113.

If probate is not required, transfer of assets can be made through a simple estate affidavit, where a person called the affiant deals with the deceased person's creditors and transfers assets to their heirs or devisees. The relevant statutes for simple estates include ORS 114.505–114.560.

A few factors go into determining whether a probate or simple estate proceeding is required. For both affiants and personal representatives, the legal process can feel overwhelming. For attorneys, the challenge will be guiding clients through the statutory requirements, avoiding common pitfalls that lead to delay, disputes, or liability, and thinking through the possibility of litigation. Fortunately for us, Oregon practitioners have strong resources in the Oregon State Bar Probate & Estate Administration BarBooks 7th edition (Probate & Estate Administration BarBooks) and the Professional Liability Fund's (PLF) Probate Practice Aids. There are citations to these resources at the end of the article.

So, where to start?

Identifying the Estate: First Questions to Ask – The first step in the estate administration process is to determine if probate is required. This begins with gathering information about the deceased person (aka "decedent") and reviewing documents that may control asset ownership, like transfer-on-death designations, beneficiary designations, jointly owned property, or transfer-on-death deeds for real property. A diligent search must also be conducted for any estate planning documents, like wills and trusts. Along with gathering information about assets, you must also consider what liabilities are outstanding, as sometimes the liabilities of the decedent outweigh the assets, and a client may wish to forego administering the estate. §3.4 of the Probate & Estate Administration BarBooks has a list of important documents to look for, including deeds, financial account statements, insurance and retirement information, business records, tax returns, digital asset instructions, and disposition directives. Once the attorney collects information about the decedent's assets and liabilities, they can determine whether the estate qualifies for administration by simple estate affidavit under ORS 114.505–114.560 or whether a full probate is required under ORS Chapter 113.

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A simple estate affidavit is generally available when the estate falls within the statutory value limits, calculated at fair market value without reduction for liens. Refer to the statute for detailed requirements, as they may change from time to time. The attorney should advise the client whether the estate qualifies for the simple estate proceeding and advise the client of the laws that govern simple estates and their fiduciary duties as an affiant. Pay particular attention to the Affiant's duties and responsibilities under ORS 114.545.

If probate is required, it will be important for the attorney to give guidance to the client applying to serve as personal representative, which should focus on their duties under ORS 114.255 - 114.440, and qualifications to serve as personal representative. Giving a personal representative clear advice at the outset helps manage client expectations and reduce the risk of later disputes. The PLF website includes a helpful video, "Avoiding Malpractice in Estate Planning and Administration," which covers this and other helpful tips for practitioners.

Probate Petitions and Affidavits - ORS 113.035 outlines the information that is required to be included in your probate petition. Be very careful to get as much information about the heirs and devisees (if applicable) to include in your petition. The same is true for a simple estate affidavit. In some cases, you may need to create a family tree or consult with a private investigator to ascertain who the heirs of the estate are. You must also disclose assets of the estate, to the best of your client's ability. The court will impose a bond unless specifically waived by statute or the decedent's will. See ORS 113.105. If liquidity is an issue in the estate, some courts will waive bond if it is properly pled and requested or if asset restriction in lieu of bond is requested. Consult ORS 113.105(4), along with the county's Supplemental Local Rules for the pleading requirements.

After Appointment—It is critical that lawyers advise their clients of their fiduciary obligations to the estate, creditors, and heirs and/or devisees. In some counties, the court requires training for newly appointed fiduciaries through Guardian Partners, which is a nonprofit providing fiduciary training. (https://guardian-partners.org/). Even if your county does not require it, you may consider advising your client to attend the class for their personal edification. You may also consider preparing a memorandum to the client regarding their fiduciary obligations along with the critical dates to comply with the court and statutory requirements.

Notice Requirements: A Common Pitfall – Notice errors can be among the most frequent problems in probate matters. Oregon law requires notice to heirs, known creditors, and other interested people, with the notice requirements set out in ORS 113.145 through 113.242. This section requires publication of notice to interested persons in a legal newspaper in the county. This alerts potential creditors that the decedent's estate is being administered and gives them four months in which to present a claim. It is vital to deal with creditor claims in a timely manner, as failure to timely respond may result in automatic acceptance of a claim. ORS 115.135(1). Lack of funds is not an appropriate reason for disallowing a

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claim. Paying particular attention to 113.145 and 113.155 should assist attorneys in avoiding missed or improper notice. The Professional Liability Fund's probate practice aids are also valuable resources and include a detailed probate checklist and related forms that are helpful for practitioners.

Ongoing Requirements: Inventory, Accounting, and Administration — There are very strict timelines to remember when advising a client who is an affiant or personal representative, including notification requirements (discussed above), posting bond or acknowledgement of restriction of assets, publishing notice to creditors, and filing inventory and accountings. Unless otherwise ordered, within 90 days after the date of appointment, the personal representative must prepare and file an inventory under ORS 113.165. Within the 90 days of the anniversary of appointment, the personal representative must also file an annual accounting. It is important to advise clients to keep ongoing records of receipts and disbursements and to communicate with any relevant parties consistently and clearly. This advice will often make compliance with statutes easier and avoid disputes that often arise due to lack of communication. The PLF has a probate tracking chart to help track statutory deadlines.

Litigation: When to Think About It – Fiduciaries like Affiants and Personal Representatives should be made aware of the potential for litigation in these matters. Litigation may occur when there are concerns about the decedent's capacity to make a will, when the will was a product of undue influence, or when your fiduciary client breached their duty. Other disputes arise over asset ownership and personal property. Early evaluation of whether and how these issues can occur is essential. Discussing this with the client and looking for alternatives to litigation will save clients significant time and expense. Section 15 of the Oregon State Bar's Administering Oregon Estates discusses common probate disputes that include litigation.

A Short Checklist for New Practitioners

- ☐ **Review the statutory requirements, read BarBooks, and look for help on the PLF's website**
- ☐ **Determine whether probate or a simple estate is applicable.**
- ☐ **Advise the personal representative on fiduciary duties.**
- ☐ **Give notice to heirs, devisees, creditors, and the Oregon Health Authority.**
- ☐ **Publish notice and calendar for creditor claim deadlines.**
- ☐ **Prepare and file the inventory.**
- ☐ **Maintain records for accountings.**
- ☐ **Evaluate whether disputes require court involvement.**

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Conclusion: Estate administration requires careful attention to statutory requirements, communication, and organization. By relying on the Oregon Probate & Estate Administration BarBooks and the PLF's probate practice aids, newer practitioners can confidently guide fiduciary clients while avoiding the most common pitfalls in this area of law. Always remember, you are not alone. When faced with a question regarding advising a fiduciary client, you should feel confident to use resources discussed above and consider co-counselling with an experienced practitioner. With the right resources, estate administration can become a manageable part of your practice. ♦

Resources:

- ORS Chapters 111–119.
- OSB Professional Liability Fund—OSB PLF—Oregon: The OSB Professional Liability Fund, which offers probate practice aids found under Services › CLE and Resources › Practice Aids › Probate and the CLE "Avoiding Malpractice in Estate Planning and Administration" (MCLE credit extension pending).

About The Authors:

Laura S. Nelson is an owner/attorney at Laura S. Nelson Law, PLLC in the Portland area. She currently serves on the OSB Elder Law Newsletter Committee.

Carlotta O Alverson is a co-owner/attorney at Hearthstone Law LLC in the Salem area where she focuses her practice on elder law, estate planning, and probate, helping individuals and families plan thoughtfully for the future.

Oregon State Bar

Reminder

Elder Law UnCLE 2026

Location: Riverhouse Lodge, 3075 N Highway 97, Bend, OR 97703

Description:
7:30 a.m.–4 p.m., Friday, May 1, 2026
Riverhouse Lodge, 3075 N Highway 97, Bend, OR 97703
5 General CLE credits (to be applied for)
Sponsored by the Elder Law Section.

Click to register
$150 Elder Law or Estate Planning and Administration section members.

Registration is limited to OSB Elder Law and Estate Planning and Administration Section members.
If you are not a current Elder Law or Estate Planning and Administration Section member, please click here to join the section prior to registering for the seminar.

Laying The Groundwork

Essential Steps for Basic Estate Plan Drafting and Planning

by Nicholas D. Rogers, Associate, Gevurtz Menashe

When you meet with new clients to discuss estate planning, chances are they are experiencing this process for the first time. Whether they possess substantial assets or very few, or whether they are young and just starting a family or elderly and planning for their inevitable passing, your clients deserve a comprehensive estate plan that meets their specific needs. For new practitioners, I have developed this handy guide on how to prepare a quality estate plan from start to finish.

The Initial Consult: Interview Your Client and Convince Them to Hire You!

Your first contact with a new potential client needs to accomplish several goals. First, you must listen carefully to their life situation, their family, their assets, and more, so you can understand how best to help them. Second, you must answer their questions about their situation and succinctly explain their options. And third, you must convince them that you are the right person to help them with their estate plan and can do the work for a price they are willing to pay. This meeting need not be an interrogation, but the potential client expects you to give them detailed advice on what they need. As a new practitioner, if you have the opportunity, sit in with as many of your fellow attorneys as you can to observe their approach and develop your own method.

Will or Trust: How to Decide What Plan Works Best for the Client

Most entry-level estate planning is built on one of two primary foundations: the standard will or the revocable living trust.

Wills

For clients looking for a simple approach to their estate planning, a standard will may meet their needs. Wills are typically straightforward documents that designate a fiduciary called a "personal representative" to administer their estate upon death and ensure their remaining assets will pass to their intended devisees. Wills work as an effective estate planning form for certain individuals, but new practitioners must understand their limitations. First, Wills can only pass property that an individual owns alone—joint property and beneficiary designations will always supersede a Will. Second, to distribute assets, wills require probate proceedings in the client's state of residence and/or states where they own other tangible property. The transfer process generally works as intended but can be costly and time-intensive. Lastly, Wills are only effective upon death, meaning that they provide no incapacity planning.

Revocable Living Trusts

For clients looking for more robust estate planning, the revocable living trust is better suited. Revocable living trusts provide the same features as wills but in a different framework. In contrast, the revocable living trust is active the moment your client signs the document. Your client serves as the initial trustee and transfers assets they own into the trust. During the lifetime of your client, they continue to own and manage their assets as they did previously, just within the context of the trust. The trust does not file tax returns, there are no restrictions placed on adding or removing assets during their lifetime, and the client can decide to amend the terms of their trust at any

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time. If they become incapacitated, the successor Trustee steps in to exclusively use the trust assets to continue supporting the client. When the client dies, the trust operates like a will in that the client's assets are directed to the intended beneficiaries under the guidance of the successor trustee.

However, instead of a public proceeding, trust administrations are private affairs not subject to probate court. These advantages have led to a shift in more trust planning even for fairly standard and uncomplicated estates, but note that trusts also have drawbacks. For one, they are more expensive to assemble and require more active management from your client. Trusts can also only pass assets titled in its name. If a client fails to properly fund their trust, the asset may vest to their estate and thus still require a probate proceeding.

Additional Considerations for Planning

Tax Planning in Oregon

Though recent changes in federal law have largely negated the need for most clients to require federal estate tax planning, the Oregon estate tax exemption has stayed firm at $1 million per person. For married couples, practitioners will often recommend one of two conventional tax planning techniques included in clients' wills or revocable trusts to ensure both spouses' $1 million exemptions are efficiently utilized when the first spouse dies. Formula planning refers to the idea of calculating the amount that can pass to the surviving spouse's estate tax-free and then the amount that should be allocated to a credit shelter trust to best utilize the first spouse's estate exemption. Alternatively, disclaimer planning allows the surviving spouse to disclaim all or a portion of the deceased spouse's assets, which then pass into a credit shelter trust that utilizes the first spouse's exemption. For both plans, the intent is that when the surviving spouse dies, the funds held in the credit shelter trust can pass to the intended beneficiaries without estate tax. Inversely, careful consideration for potential income tax issues may be needed as assets not included in a client's estate do not get a tax basis step-up to fair market value at the date of death.

Trusts for Lineal Descendants

Many clients have concerns that their children or other younger family members may need restrictions and guidance on any potential inheritance they may receive. Additionally, minors inheriting assets without restriction will require a conservatorship proceeding. Trusts established for children and other lineal descendants can avoid the need for court monitoring and also include provisions for distributing trust assets for a child's health, education, maintenance, and support. These support trusts can be structured with specific incentives, age limits, and much more, depending on the client's preferences.

Special Needs Planning

If a client designates in their planning a beneficiary who receives means-tested government benefits such as Medicaid, an inheritance may interfere with their continued ability to receive those benefits.

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Special Needs Trusts allow assets to be managed by a trustee and used on behalf of the beneficiary with special needs without jeopardizing their continued access to benefits. The trusts must be structured properly to ensure that assets are used to provide for the beneficiary's special needs and not supplant what the government benefits already provide.

Durable Powers of Attorney and Advance Directives: Essential Companion Documents

In addition to the will or trust, practitioners should also prepare powers of attorney and advance directives for healthcare if their client does not already have an executed form in place. A power of attorney enables a client to appoint an agent who can act on their behalf if they are unable to manage their own matters. Effective powers of attorney will contain a myriad of powers to help the client in many potential situations. Including a durability clause also ensures the document will remain effective if the client becomes incapacitated. The practitioner should also consider whether to prepare the form as effective upon signing or only effective upon incapacity.

The Oregon Advance Directive is Oregon's statutory healthcare form for individuals to decide who should make healthcare decisions on their behalf if they are incapacitated and to make specific instructions on their end-of-life treatment. The practitioner should carefully review all options with the client so they understand that they can instruct their representative to either follow their instructions strictly or delegate medical decision-making to the representative they appoint.

Asset Planning and Beneficiary Designations

Forms serve as the foundation of estate planning, but a truly comprehensive estate plan ensures there are proper instructions for every asset a client owns. For accounts such as life insurance and retirement accounts, confirm with your clients that they have designated beneficiaries. Bank accounts can also often designate beneficiaries, such as transfer on death (TOD). If preparing a trust, make sure new deeds are prepared for real property that reflect the trust as the new owner and that the client's stock or units in their businesses are assigned to their trust.

Signing Appointment and Future Work

Once the client has approved the draft forms, you can schedule a time with them in person to execute the documents. For elderly clients, make sure to confirm their legal capacity to sign documents. Estate planning practitioners should obtain their notary license for witnessing signatures. Ensure that you follow all necessary formality requirements for each document. Generally, attorneys will hold onto clients' original documents for safekeeping, but the client may instead opt to keep their originals. Keep your file organized so that if the client ever returns for additional help, or if you are informed later of their passing, you will be ready to assist them with revisions to their estate plan or can assist their descendants in administering the estate or trust.

About The Author:

Nicholas D. Rogers is an Associate at Gevurtz Menashe. His practice includes a strong focus on estate planning, trust and estate administration, federal and state tax controversy, and business formation and planning.

Important Elder Law Numbers

Updated January 1st, 2026

Supplemental Security Income (SSI) Benefit Standards	**Eligible Individual**	**$994.00/month**
	Eligible Couple	**$1,491.00/month**
Medicaid (Oregon)	**Asset limit for Medicaid recipient**	**$2,000**
	Burial account limit	**$1,500**
	Personal needs allowance in nursing home	**$81.28/month – VA $90/month**
	Personal needs allowance in community based care	**$221/month**
	Room & board rate for waivered community based care facility	**$773**
	OSIP Maintenance Standard for person receiving in-home services	**$1,494.00**
	SSI only: $1,016.00	
	Long Term Care Income Cap	**$2,982.00/month**
	Community Spouse Minimum Resource Standard	**$32,532**
	Community Spouse Maximum Resource Standard	**$162,660**
	Community Spouse Minimum Monthly Allowance Standard	**$2,643.75/month**
	Maximum Community Spouse Monthly Allowance	**$4,066.50/month**
	Excess Shelter Allowance Amount Above	**$793.13/month**
	SNAP Utility Allowance Used to Figure Excess Shelter Allowance	**$515/month**
	Average Private Pay Rate for Calculating Ineligibility for Transfer of Assets at less than Fair Market Value after October 1, 2022	**$14,585/month**
Medicare	**Hospital Part A deductible per illness spell**	**$1,736**
	Skilled nursing facility co-insurance for days 21-100	**$217.00/day**
	Part B premium (up to $103,000 single and $206,000 joint return): (plus Income Related Monthly Adjustment Amount if modified adjusted gross income above threshold)	**$202.90/month**
	Part B deductible	**$283/year**
	Part D Premium	**Varies by plan**

***The need standard for an individual who receives in-home services is the OSIPM maintenance standard ($994 per month in 2025) plus $500, or $1,494 per month for 2025. OAR 461-160-0620**

****Home equity limit for an individual: $752,000**

*****ABLE account contributions for 2025 are capped at $20,000. The beneficiary can also contribute an additional amount that is the lesser of the beneficiary's compensation for the tax year OR $15,650 (continental US).**

Oregon State Bar

ELDER LAW SECTION
NEWSLETTER COMMITTEE

The Elder Law Newsletter is published quarterly by the Oregon State Bar's Elder Law Section:
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