

*You dreamed of what your child's life would be like before he or she was born. You imagined a life full of ballet classes, baseball games and family vacations. Thoughts of the future were filled with dreams of high school dances and college campuses.*

What if this life you dreamed of and understood were different? How would your child's special needs change your dreams?

A parent of a child with special needs faces unusually difficult planning decisions. Not only does a parent need to adjust their expectations and dreams for their child, but they also must begin preparing for the future now.

A parent of a special-needs child has more to consider than most parents. You must plan how to provide for a lifetime of legal, financial, medical and educational needs. In addition, you may need to choose a qualified guardian for your child.

Life may be different than you first dreamed, but with proper planning it can be filled with new dreams. By preparing now, you are positioning yourself and your family for a more secure future.



As the parent of a child with challenges, you will deal with financial issues most families could barely imagine. Parents want to provide their children with everything. This is especially true of parents whose children will require care and financial assistance throughout their lives.

### *How do you provide for your child's exceptional needs?*

Parents may want to leave everything to their special needs child. Unfortunately, this may cause serious problems for your child. If you leave your child an inheritance, it is generally

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**Federal law specifies that ownership of certain assets exceeding several thousand dollars in value disqualifies special needs individuals from receiving many government benefits.**

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considered a *countable* asset, and may cause your child to lose government benefits such as Supplemental Security Income or Medicaid.

The challenge is finding a legal and ethical way to provide financial support for your child without jeopardizing his or her eligibility for government benefits.

### *Trust - What Is It?*

A trust is a legal arrangement in which assets are held and managed for the benefit of another person.

## *Supplemental Special Needs Trust*

If your family or friends anticipate gifting or bequeathing assets to a person with special needs, a Supplemental Special Needs Trust (SSNT) can be established to hold those resources without jeopardizing governmental benefits.

### *How Does It Work?*

A SSNT offers a reliable way of safeguarding your child's eligibility for government benefits while at the same time allowing for additional benefits not provided by the government.

The main benefit of a SSNT is the ability to use trust assets to provide your child with *non-necessity* items that would not otherwise be provided by government benefits, such as entertainment and travel expenses.

**It allows funds to be used to make life better by providing for needs other than the bare necessities of life:**

- a vacation with friends
- tickets to a ball game
- a motorized wheelchair
- a ramp or chair lift
- transportation to museums

### *Getting Started*

It is important to work with an attorney who is knowledgeable about estate planning for families with a special-needs individual. **If you would like more information on Supplemental Special Needs Trusts or other legal issues related to planning your estate, please call John Herdzina at (402) 392-1250.**

## Planning For The Future

1. What is the best way to obtain and preserve government benefits available to a person with special needs (i.e. Supplemental Security Income and Medicaid)?
2. What is the best way to preserve the personal assets/resources of a person with special needs while maintaining the right to receive government benefits?
3. How can a mechanism be created whereby family members and friends can gift or otherwise allow a person with special needs to use additional assets/resources and yet continue to receive government benefits?

## Our Experience

Abrahams Kaslow & Cassman LLP has 60 years of experience counseling individuals and families on estate planning needs. Several of our attorneys have developed a special emphasis on assisting families who are parenting or caring for a child with physical or cognitive challenges.

Caring for an individual with special needs as he or she travels through life requires unique and complex financial planning. This planning does not get easier as the person with disabilities gets older. The attorneys at AK&C provide effective estate planning to preserve family wealth that goes beyond drafting wills and trusts. We are experienced in establishing Special Needs Trusts (SNT) and Supplemental Special Needs Trusts (SSNT) which provide the ability to use trust assets to give individuals with special needs "non-necessity" items that would not be available through government benefits.



# Special Dreams Need Special Plans



Estate Planning  
for Families with  
Special Needs



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