



Plan Today to Secure your Tomorrow

Q&A

Question:

Should I leave money for my child with special needs in my Will?
-Prudent Parent

Answer:

Dear Prudent,

No, and let me explain why—when planning for a loved one with special needs, you must be extremely careful and always work with an experienced lawyer like us, because if handled improperly, you can easily disqualify your loved one with special needs from much-needed government benefits.

Because individuals with special needs often require a lifetime of care, most of them rely on government programs to offset the exorbitant costs of such care. However, these programs have strict income limits, so if you leave money directly to a person with special needs, such as through your will, you risk disqualifying him or her for those benefits.

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June is Dad's MONTH!

We're officially designating every day in June, Father's Day! Here's how to show the man of your life how much you appreciate him....and....shhhhh, do it for free!

One of the best ways for you to show your husband you love him and your family is to help put all of your family's financial ducks in a row and make sure your kids are taken care of by people you LOVE... no matter what! Sometimes men are resistant to coming in for a Family Wealth Planning Session™ but absolutely LOVE it after they've gone through it! Be one of the first 10 people to schedule a session this month, and in addition to a gift certificate good for a pitcher of beer and dinner for two at your husband's favorite sports bar so your husband can relax, and enjoy himself, I will waive the regular \$750 Planning Session fee. My Father's Day Gift Has a Value of over \$800 but Is worth much more to your family.

Instead, the government allows assets to be held in what's known as a Special Needs Trust to provide supplemental financial resources for the person for the rest of his or her life, while preserving their access to government benefits.

However, the rules for Special Needs Trusts are complicated and can vary greatly between different states, so if you have a loved one with special needs, be sure to consult with us, your Personal Family Lawyer®. We can make certain that upon your death, your loved one with special needs would have the financial means they need to live a full life, without jeopardizing their access to vital government benefits.



Consider This Before You Create Your Will Online

A last will and testament is the most commonly thought-of document when it comes to an estate plan. But a will is only a very small part of an integrated plan that ensures your family stays out of court and out of conflict if and when something happens to you.

Do not think you can just write your own will and that will help your family. You have probably seen ads from services that tout the idea that you can write your own will quickly—maybe even while you are in the security line at the airport (seriously, we have seen those ads in our own Facebook feeds).

Instead, consider the reality that trying to do so could actually create far more trouble for your loved ones down the road if you try to write your own will. Your family and loved ones need you to get professional support from someone who can help you look at what you own, who you love, and what would happen to you and everyone you love if and when something happens to you.

Death is unavoidable—and incapacity may happen before that. These are non-negotiables.

Facing these matters head-on leads you—and your loved ones—to having the best life possible. Otherwise, it is the people you love who get stuck with everything you were not willing to take care of now.

Unfortunately, if you go it alone, you may miss important facets of what happens in the event of your incapacity or death. For example, you may think that a will is sufficient when what you really need is a probate-avoidance trust to keep your family out of court. A five-minute will won't help you stay out of court.

Or you may think your kids are adequately protected because you have a will, but you may really need a full Kids Protection Plan®, and without it, your kids could end up in the care of strangers, even if just temporarily. Before you do anything, get educated and empowered to do what's right.

The right plan for you begins with knowing what you have and then being clear on exactly what's necessary to keep your family out of court and conflict—and keep your assets out of our state's unclaimed property fund. If you are ready to write your will, that's great—but come see us first.

The biggest mistake you can make is not facing the reality of death; the second biggest mistake is facing it alone.

If you need help getting started, consult with us, as your Personal Family Lawyer®. We will help you through the process, so you can be absolutely certain that your loved ones are protected and your wishes are honored.