



special needs planning

TIMELINE FOR PLANNING



A Parent's Guide to Legal and Financial Planning
For Children and Young Adults with Special Needs

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Birth

LEGAL

- Create Estate Plans (Wills, Trusts, Special Needs Trust, Letter of Intent, and appropriately fund the plan) to address the child's future. This is a critical step, even if you are not sure whether your child will need long term assistance. Contingency plans can be established to protect your child.
- Consult with a Disability Planning attorney to determine whether the child may be eligible for SSI or Medicaid if he or she has an extended hospital stay.
- Contact Early Intervention ("EI") directly or ask your doctor for a referral. EI delivers in-home therapies and services to your child and establishes a foundation for your child's future years in school.

FINANCIAL

- Parents and family members should not title any assets in the child's name.
- Register your child on the "PUNS" list. State funds are available to those with developmental disabilities, Autism Spectrum Disorder, and other disabilities – however, services are allocated based on severity of need and a waiting list. <https://www.illinois.gov/dd/Pages/SignUp.aspx> or call **1-888-DD-PLANS**.

Birth to age 3

LEGAL

- Consider whether you will use the services of an education advocate or attorney to help navigate the educational system, school based therapies, and other accommodations in your child's first Individualized Education Plan ("IEP"). Your child's initial services will be established in the public school system at age 3, and it is imperative to build a good foundation of services. If you are considering a private education, this step is still critical, because your school district still must, by law, deliver services to your child (though not in the same amount) wherever your child is enrolled through an Individual Service Plan ("ISP").

FINANCIAL

- Meet with a Financial Advisor who has a focus in special needs planning to develop a financial plan. While saving money and planning for the future is important for all families, it is even more important for the special needs family. Many financial planning strategies are even more beneficial when started as early as possible.

Continued on back.



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Age
11-14

FINANCIAL

- Confirm that your child does not have any assets titled in his or her name. (If anyone wants to help financially, that help is always welcome – but please contact your Attorney or CFP to ensure the account is titled in a way to protect your child’s benefit eligibility.)
- At age 18, your child will become eligible for several government provided benefits, but only if he or she meets the financial requirement of having LESS than \$2,000 in assets, since age 13. This is called a “look back” period. Different programs have look back periods.

Age
17

LEGAL

- Consider whether to apply for guardianship of your child when he or she turns age 18. Powers of Attorney are an alternative. Your Special Needs Attorney can guide you through this complex decision.
- Review again the child’s financial status and prepare to file for SSI and Medicaid upon his or her 18th birthday.
- Review your Special Needs Plan and Estate Plans.

FINANCIAL

- Review your financial plan.

Age
18-22

LEGAL

- Apply for Guardianship or establish Powers of Attorney
- Apply for SSI, if you have not, to set up “Disabled Adult Child” benefits, which build a foundation for SSDI and Medicare eligibility. These benefits are easier to establish when your family member is younger and their medical / education records are the most recent and available.

Adulthood

LEGAL AND FINANCIAL

- Continue to review your Estate Plan, Special Needs Plan, and Financial Plan. As the whole family ages, goals and needs will change.
- Contact a Disability Benefits Attorney if your application for SSI or SSDI was denied.
- Evaluate the family supports annually, and revisit when a parent or caregiver passes away.

This Guide is not intended to replace thorough, qualified advice that a Special Needs Attorney or Financial Advisor can provide for your family’s unique needs. Please use this information as a guide only, and contact a professional if you have questions or wish to begin creating your own financial or legal plan.