

# **Pointers For Parents**

## **How To Provide For Your Child With Special Needs**

*by David Harmon*

(NAPSA)—Properly drafting and executing a will can help parents protect children with special needs, especially in states that have set procedures for distributing estates when there is no will.

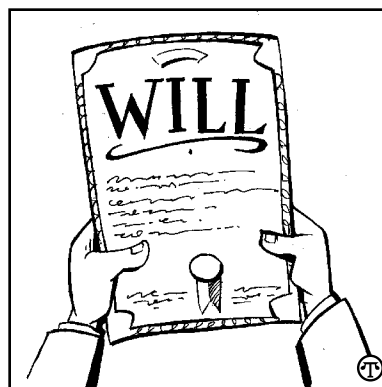
For example, state inheritance laws generally divide the estate between a surviving spouse and children. The needs of the family are not considered. If the child is a minor, depending on the amount of his or her inheritance, a guardian may have to be appointed by the court to manage the child's property.

If a parent dies intestate, his or her choice of guardian or living situation for the child may be unknown and the court must appoint a guardian to manage the money on behalf of a minor child without knowing the parent's wishes.

The court-appointed guardian may not have an emotional connection or vested interest in the disabled person, which may further complicate the situation, causing considerable distress to surviving family members.

Government benefits like SSI are subject to income limitations; other needs based benefits like Medicaid and Food Stamps look at assets as well. If a disabled child is receiving government benefits and received more from a deceased parent than permitted by program guidelines, benefits will stop. The child will have to re-apply and re-qualify for benefits. During the interim, the child could be expelled from a residence, such as a group home, or be removed from a treatment or sheltered workshop program.

Most courts require that the guardian of the estate, even if a



**When a properly drawn will is not in place, a child with a disability may be denied benefits.**

parent, be bonded and make periodic accountings with respect to the minors or the disabled. The guardian may need prior approval from the court before spending any of the child's money. This could include buying a wheelchair or adaptive medical equipment for the child.

When a properly drawn will is not in place, money that could normally benefit a disabled child and other surviving children may be diminished by unnecessary court costs and lawyer's fees. Depending on the value of your estate, a properly drawn will may also permit you to reduce or avoid state and federal estate taxes.

For more information about this and other related topics, call 1-877-MetDESK or visit the MetDESK Web site at [www.metlife.com/desk](http://www.metlife.com/desk).

*Mr. Harmon is the MetDESK Manager, and a parent of a special needs child. MetDESK is a division of Metropolitan Life Insurance Company, New York, N.Y. 10010, that focuses on the financial concerns of families with special needs children.*