

Holland Law Offices, LLC.

Wills, Trusts, Estates, Probate,
Asset Protection & LGBT Planning

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Large firm experience, small firm responsiveness

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Disability Planning and Special Needs Planning

For parents of children and adults with special needs, seniors coping with the aging process, and seniors facing the possibility of long-term care; disability planning or special needs planning is essential.

Typical Special Needs Planning clients include the following:

- special needs children and adults;
- children and adults who have suffered disabling personal injuries;
- trial counsel who need advice regarding liens and other pre- and post-settlement issues;
- individuals with progressive disabling conditions; and
- individuals and couples facing long-term care.

For many clients faced with these complex and sensitive personal situations, the legal technicalities of conservatorships, guardianships, special needs and OBRA 93 Trusts can appear overwhelming. It is essential to hire an attorney experienced in all aspects of Special Needs Planning.

Special Needs Children and Adults

Through the use of special needs trusts that are fully integrated into the family estate plan, parents and others can provide for a son or daughter with developmental or other disabilities. Whether the special needs individual requires extensive or limited care and whether or not public assistance benefits are, or may become, necessary, the design and implementation of a plan must meet the needs of the family. The Special Needs Plan must be designed so that any government benefit an individual is entitled to is preserved while at the same time providing the individual as much access to funds as possible.

Children and Adults Who Have Suffered Disabling Personal Injuries

When an individual of any age has been seriously injured (as a result of an accident, medical malpractice or any other cause) and a settlement or judgment in the individual's favor becomes available, planning to protect the funds is essential. Under federal and state law, many injured and disabled individuals may place their assets in an OBRA 93 Trust and qualify for Social Security Disability, Medicaid, Supplemental Security Income and other benefits. It is often necessary for trial counsel to partner with a competent trust and estates attorney to properly represent the individual.

Holland Law Offices can establish a Special Needs Plan that is custom tailored to meet the particular needs of your family.

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