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- [The Alzheimer Prayer](#)
- [Do You Need an Estate Plan?](#)
- **[Special Needs Trusts](#)**
- [NJ Probate](#)
- [Durable Power of Attorney](#)
- [Living Wills](#)
- [Wills](#)
- [Estate Planning for Minor Children](#)
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- [Downloading Estate Planning Documents](#)
- [Dis-Inheriting a Child](#)
- [Pre-Nuptial Agreements](#)

SPECIAL NEEDS TRUSTS

Assistance in Special Needs Trusts

SPECIAL NEEDS TRUST GENERAL OBJECTIVE: to show families ways to pass an inheritance to a child receiving public assistance without jeopardizing their eligibility for government aid.

The trust funds will be held under the aegis of a Special Needs Trust. The trust will be managed by a named Trustee. The funds therein will be used to supplement, but not supplant, the appropriate public subsidy programs.



With a Special Needs Trust, a client doesn't have to

- Disinherit a special needs child, and/or
- Leave that child's inheritance to a designated "straw person" who is under no legal obligation to "do the right thing".
- Leave that child's inheritance to a "straw person" who may have trouble with creditors or a rebellious spouse/significant other.
- Leave that child's inheritance to a "straw person" who doesn't amend their estate plan to protect such funds on their passing.

In a Special Needs Trust, one can:

- Name a trustee to oversee funds for the special needs child in your estate plan.
- Leave instructions how the Special Needs Trust may be used to enhance lifestyle of special needs beneficiary without jeopardizing their eligibility for public subsidy.

Special Needs Trust as a Part of a Comprehensive Estate Plan

- Special Needs Trust are used in addition to a Will or Living Trust.
- A comprehensive estate plan may often include a Power of Attorney, Living Will, and Healthcare Directive in addition to a Will or Living Trust.

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