



Letter of Wishes

While many parents or loved ones of Special Needs Individuals are proactive in Estate planning, many of these plans don't effectively communicate their specific wishes for their loved ones future.

Estate planning for a loved one with Special Needs often includes drafting a Last Will and Testament, a Special Needs Trust and perhaps appointing a guardian. These are all legally binding documents that are needed to appropriately settle your Estate and provide for the financial well-being and oversight of your loved one with special needs.

A letter of wishes (or letter of intent) is a non-binding agreement that memorializes your specific, personal wishes for your loved one. It is a guide to the Trustee, Guardian or other fiduciary for the care of your loved one and the management of their assets. It will be used in conjunction with the Trust that you have created.

Below is a list of items to consider when drafting your letter of wishes.

- **Family Dynamics.** Explain the members of your loved ones family and what role they play in their life and care.
- **The "Team".** It often takes a team to effectively manage the needs of a special needs individual. Provide information on who makes up this team (guardian, case worker, therapists, attorney, etc.).
- **Medical History.** Include the medical history of your loved one with special needs. Include hospitalizations, diagnoses, etc. Also include any important family medical history that may be of relevance in the future.
- **Medical Care.** Include details of your loved ones medical team, preferred hospitals, rehabilitation centers, etc.
- **Daily Schedule.** Many people with special needs depend and thrive on a set daily schedule. Include their routines, favorite activities, activities that frustrate him/her, etc.
- **Living Arrangements.** Include details regarding the short term and long term living arrangements that you have arranged or would like for your loved one. Also include instructions regarding arrangements that you would like avoided.
- **Education.** Detail your loves ones educational experiences or achievements. Are there any future educational programs that you want your loved one to participate in? Think about vocational programs, specific skills or classes that you would like them to attend.
- **Relationships.** Include details on the important people and relationships in your loved one's life.

- **Social Activities.** Include details on what your loved one enjoys socially. Are there any vacations or social activities that you want your loved one to participate in? If you wish for them to take vacations or trips away from home, are there any companions or family members that you would like to join him or her?
- **Religious/Spiritual Environment.** Discuss your loved one's religious or spiritual background and beliefs. Are there any religious or spiritual considerations that need to be made when planning their care?
- **Benefits/Entitlements/Other Resources.** Detail if your child is receiving any government benefits or entitlements. Also provide details of any potential additions to the Trust or the loved ones estate in the future (i.e. inheritances, structured settlement payments, etc.).