

Locating an Attorney with Special Needs Planning Experience



Planning for families who have loved ones with special needs is an extremely complex process requiring the expertise of those who specialize in this area. Hiring an attorney who specializes in special needs planning is important for reasons other than simply the complexity of the law. Such attorneys possess an understanding of the broad issues that impact families that have loved ones with special needs, including their health, economic, legal, and family issues.

The attorney should not only be a specialist in estate planning but also should be experienced and well versed in special needs planning. Careful consideration must be given in the selection of the attorney that will guide you and your family in choosing the appropriate legal documents to protect your loved one with special needs.

The following can be used as sources in locating an attorney:

- ▶ State bar associations or the American Bar Association
- ▶ Local disabilities organizations
- ▶ The Academy of Special Needs Planners (www.specialneedsanswers.com)
- ▶ The Special Needs Alliance (www.specialneedsalliance.org)

The questions below are intended as a general guide to assist in your selection of potential attorneys to help you and your family develop a plan for your loved one with special needs.

1 BACKGROUND INFORMATION

	ATTORNEY #1	ATTORNEY #2	ATTORNEY #3
Name			
Firm address			
Phone <i>fax</i>			
Email address			
In what state(s) are you licensed to practice?			
How many years have you been in practice?			

1. What are your areas of expertise and the number of years you have been practicing in that area?

	ATTORNEY #1	ATTORNEY #2	ATTORNEY #3
Special needs and disability planning, including, among other things, drafting of special needs trusts	<input type="checkbox"/> Yes Years _____	<input type="checkbox"/> Yes Years _____	<input type="checkbox"/> Yes Years _____
Special education law	<input type="checkbox"/> Yes Years _____	<input type="checkbox"/> Yes Years _____	<input type="checkbox"/> Yes Years _____
Guardianship and fiduciary services	<input type="checkbox"/> Yes Years _____	<input type="checkbox"/> Yes Years _____	<input type="checkbox"/> Yes Years _____
Public benefits planning, including, for example, Social Security disability income, Supplemental Security Income, Social Security survivors benefits, and Medicaid and Medicare applications and appeals	<input type="checkbox"/> Yes Years _____	<input type="checkbox"/> Yes Years _____	<input type="checkbox"/> Yes Years _____
Nursing home law and litigation	<input type="checkbox"/> Yes Years _____	<input type="checkbox"/> Yes Years _____	<input type="checkbox"/> Yes Years _____
Estate planning and administration	<input type="checkbox"/> Yes Years _____	<input type="checkbox"/> Yes Years _____	<input type="checkbox"/> Yes Years _____
Social Security disability appeals	<input type="checkbox"/> Yes Years _____	<input type="checkbox"/> Yes Years _____	<input type="checkbox"/> Yes Years _____
Litigation and alternative dispute resolution services, including, among other things, arbitration, negotiation, and administration of structured settlements	<input type="checkbox"/> Yes Years _____	<input type="checkbox"/> Yes Years _____	<input type="checkbox"/> Yes Years _____
Tax	<input type="checkbox"/> Yes Years _____	<input type="checkbox"/> Yes Years _____	<input type="checkbox"/> Yes Years _____
Other	<input type="checkbox"/> Yes Years _____	<input type="checkbox"/> Yes Years _____	<input type="checkbox"/> Yes Years _____

2. Have you received any special awards or recognition relating to your expertise in any of the above fields of expertise?

	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, provide details.			

3. Have you published any articles or books in the above fields of expertise?

	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, provide details.			

2 EXPERTISE (CONTINUED)

4. Are you accredited or certified, as applicable, by the American Bar Association or your state bar association in any specific fields?

	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, provide details.			

5. Have you or your firm ever been the subject of a malpractice claim or a disciplinary proceeding involving alleged attorney misconduct?

	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, provide details.			

The following resources may provide additional information relevant to the above questions:

- ▶ State Office of Attorney Ethics or similarly named public body that reports disciplinary actions against attorneys
- ▶ Attorney's or firm's Web site
- ▶ Internet searches (e.g., Google) for attorney name and/or firm name (Use quotation marks for more precise results.)
- ▶ Martindale (www.martindale.com), Google News (www.news.google.com), and better business bureau (www.us.bbb.org) Web sites for attorney and firm names

3 ADDITIONAL NOTES

This material is being provided by The Prudential Insurance Company of America to assist you in identifying an attorney with expertise in special needs planning who can provide legal advice to you based upon your particular circumstances. It should be used with the understanding that neither Prudential Financial, its affiliates, nor its financial professionals render legal advice. Please consult with your own advisors for advice concerning your particular situation.

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