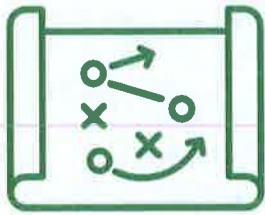


# Letter/Memorandum of Intent

A PERSONAL GUIDE FOR YOUR CHILD'S GUARDIAN



## **When it comes to your family,** you want to make sure that they are protected now and in the future, which is why you need to make sure that you have the proper planning in place.

As part of the special needs estate planning process, a letter/memorandum of intent is an important piece to help ensure that your child is taken care of when you're no longer able to do so, and to help make sure that your plan is carried out the way you wish. The purpose of the letter is to guide the people who may become responsible for your child with special needs when it comes to making important decisions and providing him or her with the best quality of life.

It is important to note that this letter is not legally binding and should not be considered as legal advice. Please work with a legal professional before taking action.

### **Points to Keep in Mind**

- You should keep your child's needs and capabilities in mind first when writing this letter.
- The letter should reflect your child's abilities and capabilities.
- While it's a good idea to include parents, siblings, and other family members when writing the letter, it's important for your child with special needs to also contribute, if possible.
- The wording, terms and directions should be easily communicated and not confusing for the Guardian(s) to understand.
- When choosing a Guardian(s), it's important that you trust that they will do their best to carry out your plan and meet your expectations.
- When you are finished with the letter, make sure that you provide your legal professional with a copy of the letter and any future revisions so that they can ensure that the letter is consistent with the terms of your trust.
- Don't forget to periodically review, and if necessary, update your letter if there are any changes in your child's needs or capabilities or if any life events occur. Set up annual reviews with your financial and legal professionals to make sure that your plan keeps up.



## When writing the letter, make sure to include:

- 1** A brief summary of your general thoughts and hopes about the future for your child.
- 2** **Personal Information.** Provide your child's:
  - a. Full name
  - b. Date of birth
  - c. Place of birth
  - d. Name and date of trust
  - e. Social Security number
- 3** **Family members.** Identify and provide contact information for your child's immediate family members including parents, grandparents and siblings. It may also be a good idea to include contact information of close family members and friends.
- 4** **Medical Care.** Describe your child's disability, medical history and allergies. It would also be good to state:
  - a. How often your child needs to go appointments and the purpose of each appointment.
  - b. List medical prescriptions that your child is currently taking, how each prescription is administered and for what purpose. Consider creating a spreadsheet of medications, when they are taken, and when they are renewed. If you know that a medication has not worked for your child in the past, you can include that information in this section.
  - c. Identify any health insurance and medical assistance that your child is provided and include a copy of the insurance card.

- 5 Important Medical Contacts.** Provide the names, contact information, and specialties of all physicians, and therapists whom your child's Guardian can contact for help or advice.
- 6 Important Care Providers Contacts.** List the names, contact information, and services offered by all aides and care providers whom your child's Guardian can contact for help or advice.
- 7 Financial Information.** Identify all government benefits that your child currently receives. To help the child's Guardian(s) with this aspect, make sure to include the agencies' contact information, case identification numbers, and the recertification process for each benefit. If applicable, list your child's current employment.
- 8 Support.** Provide information about any arrangements with a Trustee, care manager or other entity for your child's care.
- 9 Your Child's Personal Preferences.** If your child has specific grooming preferences and interests, diets, personal habits, or any favorite items, hobbies, or people, provide a description for your child's Guardian in this section so that they don't disrupt your child's life or daily schedule.
- 10 Abilities.** Describe in detail your child's level of independence. Explain your child's daily living skills, including toileting, feeding, dressing oneself. Provide additional information including can he or she read, write, ride public transportation alone, handle money, communicate to others?
- 11 Behavior.** If there are certain behaviors that are important for your child's Guardian to be aware of, describe those behaviors and the best strategies to handle them. Examples include sensory seeking, repetitive actions, and oppositional defiance.

- 12 Education and Programs.** If your child is currently enrolled in school or any programs (day programs, habilitation programs, sports, etc.), list the name of the institutions, addresses and schedule. If child is under age 21, please include any educational plan, such as IEP or 504. It may also be a good idea to include contact information at the school or program.
- 13 Daily Routine.** It is a good idea to describe a typical day in the life of your child with special needs. Include typical wakeup and bedtime, timing of breakfast, lunch and dinner, playtime, and television and computer time.
- 14 Family Traditions.** Describe your family's traditions for birthdays, holidays and other milestones. For example, pancakes are always served on a birthday morning with a candle. Also include favorite vacation locations or attractions that your family enjoys together.
- 15 Religion.** Specify your child's religion and any local place of worship your family attends. If applicable, describe your child's religious education and traditions.
- 16 Final Arrangements.** If you have planned for a funeral, cremation or burial and would like a specific clergy to officiate the proceeding or a certain cemetery for the burial, you can list your wishes in this section.
- 17 Additional Information.** If there is any other information that you feel is important, be sure to include that in the letter also.
- 18** If appropriate, write a letter to the child as to what happened and why you are no longer there.

When you are finished writing the letter, sign and date the letter so that you know when the last revisions were made. Be sure to keep a copy of the letter for your own records and also make copies of the letter to those who may be responsible for your child.

The material contained in this document is provided for educational purposes only and does not purport to be complete or to cover every situation. You should consult with and rely on your own independent legal and tax advisors regarding your particular set of facts and circumstances. Content prepared by Penn Mutual.

