



Disability Law Services



908-232-7400

www.VanarelliLaw.com



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THE NEW JERSEY LAW OFFICE OF DONALD D. VANARELLI has earned a reputation for its work in the fields of estate planning, guardianships, elder law, and special needs trusts on behalf of the disabled and their families.

Members of the disabled community often rely on public benefits, such as Medicaid, Social Security Disability/SSI benefits, and Section 8 or subsidized housing benefits for their daily needs. Older adults and those with permanent disabilities may require years of care; and for many parents, adult children, and concerned loved ones, advance planning may be critical.

When parents can no longer care for their special needs children due to disability or death, caregiving responsibility falls on siblings, other family members, and the community. Frequently, expenses increase dramatically when care previously provided by parents must instead be provided by professionals.

The New Jersey Law Firm of Donald D. Vanarelli helps the disabled population through planning services focusing on special needs trusts and accessing available public benefits.

Questions Faced by Parents of Special Needs and Disabled Children

1. Who will care for my disabled child when I am no longer able to do so?
2. Will my own medical needs and the catastrophic costs of long-term care deplete my assets so that little or nothing will be left for my disabled child?
3. Can my child maintain eligibility for Supplemental Security Income (SSI), Medicaid, New Jersey community services for the developmentally disabled, housing subsidies and other need-based public benefits after I've passed away?



Planning for the Disabled

A **AMERICANS ARE LIVING LONGER THAN THEY DID IN YEARS PAST.** This includes those with disabilities. According to one estimate, 480,000 adults with intellectual disabilities are living with parents who are aged 60 or older. This figure does not include adult children with other disabilities and those who live separately, but still depend on their parents for vital support.

When these parents can no longer care for their children due to their own disability or death, the responsibility will fall on siblings, other family members, and the community. In many cases, expenses will increase dramatically when care and guidance provided by parents must instead be provided by a paid professional.

Planning by parents can make all the difference in the life of a child with a disability, as well as that of siblings who may be left with the responsibility for caregiving.

The Critical Component: A Plan of Care

For a family with a disabled child, estate planning usually involves providing for that child's needs without jeopardizing eligibility for needs-based governmental benefits.

Often, parents make outright bequests to their children in equal shares, but this may be detrimental for a disabled child; an inheritance or outright bequest could disqualify an adult disabled child from governmental assistance. The same result may occur if the disabled child is the beneficiary of a life insurance policy or retirement plan, or if the child owns an account jointly with another.

A trust provides a much safer vehicle for providing funds to care for a disabled heir. The properly drafted trust will protect assets from the claims of creditors, and allow the child to continue to qualify for the governmental assistance so vital to the child's continued well-being.



Planning For Life-Long Care

The Law Office of Donald D. Vanarelli provides disability planning services that span a wide range of legal practice areas. Our goal is to ensure that your loved ones always receive quality long-term care. We will explore the available planning techniques to accelerate eligibility for Medicaid and other public benefits, while preserving assets for your spouse and other loved ones.

If you have a disabled person in your life, you will want to ensure that his or her affairs are in order, and that he or she is well provided for in the years to come—even if you are unable to be by that person's side.

Additional Information

FOR ADDITIONAL INFORMATION regarding Disability Law Services, call us at **908-232-7400** or [click here](#) to contact us online.



About Donald D. Vanarelli, Esq.

AWARD-WINNING NEW JERSEY ESTATE PLANNING ATTORNEY

DONALD VANARELLI is a recipient of the Marilyn Askin Lifetime Achievement Award from the New Jersey State Bar Association's Elder and Disability Law Section. The Lifetime Achievement Award, the Elder and Disability Law Section's highest honor, is bestowed on an attorney with an established history of distinguished service who has made significant contributions in the field of elder and disability law throughout his or her career.

Qualifications Include:

- ▶ Recipient, Lifetime Achievement Award, by the NJ State Bar Association, Elder & Disability Law Section
- ▶ Certified Elder Law Attorney, National Elder Law Foundation, accredited by the ABA
- ▶ Named to the Super Lawyer list for the years 2007–present
- ▶ Rated "AV Preeminent" by Martindale-Hubbell, Signifying Professional Excellence
- ▶ Lead counsel in *In re Keri*, a landmark NJ Supreme Court case in which guardians, for the first time, were permitted to engage in public benefits planning to obtain Medicaid eligibility for their wards
- ▶ Lead counsel in *Saccone v. Police and Firemen's Retirement System*, in which the NJ Supreme Court, for the first time, permitted a special needs trust to be designated as the beneficiary of a state pension
- ▶ Co-counsel in *Galletta v. Velez*, in which a federal court, for the first time, held that VA pension benefits are not countable in determining Medicaid eligibility
- ▶ Past Chair, Elder and Disability Law Section, NJ State Bar Association
- ▶ Founding Member, Academy of Special Needs Planners
- ▶ Founding Member, Council of Advanced Practitioners, National Academy of Elder Law Attorneys
- ▶ Accredited by the Department of Veterans Affairs
- ▶ Certified as a National Certified Guardian by the Center for Guardianship Certification
- ▶ Selected as a panelist on the Union County Probate Early Settlement Panel
- ▶ Approved as a Mediator under the New Jersey Court Rules
- ▶ Recognized as an Accredited Professional Mediator
- ▶ Former Director, NJ Association of Professional Mediators
- ▶ Named to the list of Top Rated NJ Lawyers
- ▶ Trained as a Collaborative Law Professional
- ▶ Former Social Security Claims Representative for SSI and Medicaid claims
- ▶ The Law Office of Donald D. Vanarelli is [A+ rated](#) by the Better Business Bureau

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