TRANSITION CHECKLIST

Legal Authorities

- Guardianship
  - Full or plenary
  - Limited
  - Rogers or Substitute Judgement Authority for Antipsychotic Medications
- Conservatorship
  - Full or plenary
  - Limited or single transaction: To establish a trust, fund a trust, or deal with one transaction or one asset
- Using trusts
- Representative payee for Social Security payments
- Alternatives to guardianship and conservatorship, when appropriate
  - Health Care Proxy
  - HIPAA Authorization
  - Powers of Attorney
  - Other agency appointments, such as shared decision-making forms

Financial Management

- Does your child have any assets in their name? Many are tricky and have varying outcomes with public benefits eligibility. Things to consider:
  - Savings bonds
  - Joint accounts
  - Beneficiary accounts
  - UTMs and UGMAs
  - Education savings accounts
- Use Special Needs Trusts in your planning and their planning
  - Supplemental Needs Trust (SNT) is funded with other people’s money, not money of the person with the disability
- Problematic income streams
  - Work income
  - SSDI income over the MassHealth monthly income limit
  - Structured settlements
  - Child support

Elements of Adult Living

- Employment opportunities
- Vocational and post-secondary education
- Where to live and with whom
- Independent living skills
- Recreation, leisure activities, social relationships
- Self-advocacy skills
- Health and safety
- Financial benefits and income planning

Public Benefits and Agencies

- Adult service agency and service plan
  - Department of Developmental Services (DDS)
  - Department of Mental Health (DMH)
  - Massachusetts Rehabilitation Commission (MRC)
- Massachusetts Commission for the Deaf & Hard of Hearing
- Massachusetts Commission for the Blind
- SSI or SSDI
- MassHealth/Medicare

School to Work

- Transition Planning Form fully developed (part of the IEP)
  - Student’s strengths and preferences
  - Student’s participation
  - An action plan that discusses:
    - Instruction
    - Related services
    - Community experiences
    - Employment
    - Daily living skills
    - Functional and vocational evaluations
  - Student’s vision – Person Centered Planning
  - Work experiences
  - Chapter 688 referral – Who is the adult service agency going to be?

Things to Consider

1. Predicting the cost of your disabled child’s future needs is difficult thus saving for his/her lifetime is almost impossible.
2. You cannot depend on your other children to support the person with a disability. Too many things can go wrong in sibling’s lives that could prevent them from doing so.
3. Some programs depend on public benefits eligibility to enroll and paying privately may not be an option.
4. You want to be declared eligible for benefits under today’s eligibility rules because every year it’s harder to qualify.

CONTACT SPECIAL NEEDS LAW GROUP OF MASSACHUSETTS TO SCHEDULE YOUR INITIAL CONSULTATION!
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# 5 Key Steps to Effective Advocacy

## 1. Know Your Opponent

- **Who has the authority to give you what you need?**
  - Sped Director vs. Team Leader
  - Agency Case Worker vs. Director
- **Insurance Company**
  - What is the policy/procedure in the given situation?
  - Read the policy manual
  - Know the rules
- **What is the personality you are dealing with?**
  - How do they usually respond to similar requests?
  - How familiar are they with their own rules and regulations?
  - Do they have specialized knowledge in this area?
  - Do you have anything in common with them?

## 2. Be an Expert in Your Field

- **Know what you are asking for**
  - A new technique
  - A certain piece of equipment
  - A diagnosis
- **Have the research handy**
  - Let the experts make your case
  - Do demonstrations
  - Take pictures

## 3. Be Creative

- **You have all the answers!**
- **Craft a solution right from the beginning**
- **Work backwards from there**
- **Keep it simple**
- **Use visuals if you can**

## 4. Communicate Effectively

- **Take the emotion out of it (unless you know that works with your opponent)**
- **Be clear**
- **Be concise**
- **Practice if you need to**
- **Use written tools to assist you**

## 5. Be Prepared to...

- **Compromise**
- **Lose some**
- **Be upset (behind the scenes)**
- **Be patient**
  - Your timelines are yours (and not anyone else’s!)
  - It took you a long time to learn, too!