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SPECIAL NEEDS ALLIANCE IN THE NEWS

The Autism Perspective magazine recently published an article written by William Whitaker regarding the recent transition of the Special Needs Alliance (SNA) to a nonprofit organization.

“Ours is the first, and to our knowledge the only, organization of its type for attorneys who practice in the special needs area,” says SNA immediate Past President Edward Wilcenski, a special needs planning attorney in New York State. Mr. Wilcenski, the brother of a developmentally disabled adult, has helped to transform the alliance from an inconspicuous organization operating largely through word of mouth into what promises to be a significant voice in the fields of estate planning and disability law. He has recently passed the torch to incoming President Andrew Hook, a Certified Elder Law Attorney with Oast & Hook.

Mr. Hook says he became involved in the SNA “to work with other attorneys nationally to assist persons with disabilities and their families with the complex legal issues that confront them,” and for the families of individuals with autism, what a complex maze that can be.

Estate planning for individuals living with autism presents unique problems because of the comparatively high functionality of many of those coping with the disability, according to Mr. Wilcenski. Nevertheless, long-term financial security for individuals with autism can play a significant role in their emotional well-being. Better dietary options, better treatment, and better opportunities for interaction are necessary tools for improvement, and they come at a price. If estates are structured improperly because of generalizations made by attorneys who are not well-versed in this highly specialized field, then the individual with disabilities could lose Supplemental Security Income (SSI) benefits, or Medicaid, or worse.

Enter the Special Needs Alliance. Messrs. Wilcenski and Hook say that the most significant feature of the SNA is that the finest disability law attorneys in the United States are networked, which makes for robust and rapid communication of new legislation, new case law, and the forecasting of regional laws that may become important on a national level. And not only are SNA attorneys thus well-informed, but they are also the arguers of these cases.

“Not only do we share information about what’s going on,” Mr. Wilcenski observes, “but many of our members are litigating these issues. There’s a high likelihood that it’s one of our members behind the effort.”

Beyond the legalese are the emotional difficulties associated with caring for a loved one with autism. It is not often that an attorney can empathize with a client – which makes the SNA unique in the legal profession.

“Many of our attorneys have personal experience in assisting individuals with disabilities,” Mr. Hook notes. “This personal experience is invaluable.”

“There’s an expression that goes something like ‘you walk the walk and talk the talk,’ and we have attorneys who can respond to the needs of families that look like their own,” says Mr. Wilcenski. “There’s no substitute for growing up in an environment with an individual with a disability or raising a child with a disability. It’s just different. We can be lawyer and advocate, brother or sister or parent, and there’s something unique about that that you just can’t reproduce. There’s an intangible benefit that’s brought directly to bear.”

Mr. Wilcenski notes that those member attorneys who do not have familial experience with individuals with disabilities are just as active in the realms of disability and estate planning advocacy. The SNA considers for membership those attorneys who are on the cutting-edge of the law, and who are active in community organizations that assist individuals with disabilities.

“If an individual has not lived it, they’ve sought it out,” Mr. Wilcenski says. “There’s just no substitute for credibility in this discipline,” which is evident in the SNA’s highly elective, invitation-only model.

For families, the challenges that autism present are many. Establishing a routine, developing a strategy to create the best life possible for a loved one living with autism, and working diligently to help the individual succeed on a daily basis and for the long term are difficult challenges. The Special Needs Alliance understands these issues, and its attorneys are eager to assist with the legal and financial considerations that accompany such a diagnosis. The passion and empathy of these attorneys are refreshing virtues that speak to the core values of advocacy.

The attorneys at Oast & Hook assist families of individuals with disabilities with their estate, long-term care, financial and insurance planning needs.

Oast & Hook

Oast & Hook is an elder law firm. We represent older persons, disabled persons, their families, and their advocates. The practice of elder law includes estate planning, investment and insurance advice, estate and trust administration, powers of attorney, advance medical directives, titling of assets and designations of beneficiaries, guardianships, conservatorships, and public entitlements such as Medicaid, Medicare, Social Security, and SSI, disability planning, income tax planning and preparation, bill paying, account management and reporting, care management, and fiduciary services. We also handle litigation involving these issues, such as will contests and estate administration disputes. For more information about Oast & Hook, please visit our website at www.oasthook.com.

Oast & Hook is a Virginia member of the Special Needs Alliance, a nationwide network of disability attorneys. As members of this alliance, we assist personal injury attorneys in resolving their cases to enhance the judgments and awards of their disabled clients and to maintain the eligibility of these clients for SSI and Medicaid. We are experienced in protecting the public benefits of persons with special needs and in assisting with the management of their assets. For more information about the Special Needs Alliance, visit its website at www.specialneedsalliance.com.

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