



There are a lot of important questions to ask and decisions to make before meeting with an attorney and petitioning a court for guardianship.

Use the questions below as guidelines to assist you in determining the needs of your family. Note that your answers may change over time and through different life situations. Don't hesitate to revisit this document as necessary to re-establish your family baselines.

QUESTIONS FOR PARENTS OF SPECIAL NEEDS CHILDREN

1. What information do I need to collect before I see an attorney?
 - a. In what areas does my child have trouble in making decisions or acting?
What does that look like?
 - (1) Managing money
 - (2) Learning in school
 - (3) Getting dressed without help
 - (4) Using public transportation
 - (5) Activities of daily living – bathing, brushing teeth, eating, other personal care
 - (6) Talking or communicating
 - (7) Walking
 - (8) Getting from one place to another without getting lost
 - b. Does my child have behavior problems that may result in injury to him or herself, other people, or property?
 - c. Can my child learn to drive?
 - d. Can my child make decisions about health matters?
 - e. Does my child have friends or take part in social activities independently?
2. Who would I choose to serve as my child's guardian in order of preference?
 - a. Does this person know my child well enough to know if they are willing to be my child's guardian?
 - b. Are they willing to serve as guardian? (*I need to ask them.*)
 - c. Are they able to serve as your child's guardian – do they have the time, the understanding, and the ability to perform the duties as guardian that my child would need?
 - d. Do they live where my child can get services and supports, have friends?

3. Does my child have family members who may not be the person to be a guardian, but who will be willing to play a significant role in my child's life?
4. What government or charitable services or benefits does my child receive now – SSI, SSDI, Medicaid, medical equipment, special education, transportation, personal daily care, respite care (for you or other caregivers), companion care or other help with accessing social activities?
5. Will my child be eligible for my pension benefits or my military survivor benefits?
6. What assets do I have to help provide support for my child?
7. What insurance policies do I have and is my child a potential beneficiary? *(Collect the policies and have them with you when you visit legal assistance on the installation.)*
8. Does anyone else in my family plan to give or leave assets to my child with special needs?
9. Will my child be able to work in regular employment full-time or part-time?
10. Does my child need to have a special needs trust now or if I die?
11. What kind of services or things would I want my child to be able to pay for out of a special needs trust that government benefits will not provide?
12. Where does my child live now and where will my child live if I am dying? What kind of residence will be best for my child?
13. Where are the locations of my assets, and where do I keep insurance policies, legal documents, my will, or a list of these so someone could find them if needed?
14. What medical care will my child need or what care would I want them to have in an emergency or a non-emergency situation?
15. Who would I trust to make medical decisions for my child if I am not available?