



MY OPINION

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PRESIDENT, TEXAS YOUNG LAWYERS ASSOCIATION

Peace of Mind

A few years ago I started volunteering at Camp John Marc in Meridian. The camp partners with community and health professionals to provide camping experiences for children who have a chronic illness or physical disability. This has been some of the most rewarding volunteer work I have ever done, and it opened my eyes to the many legal issues facing parents of a special needs child.

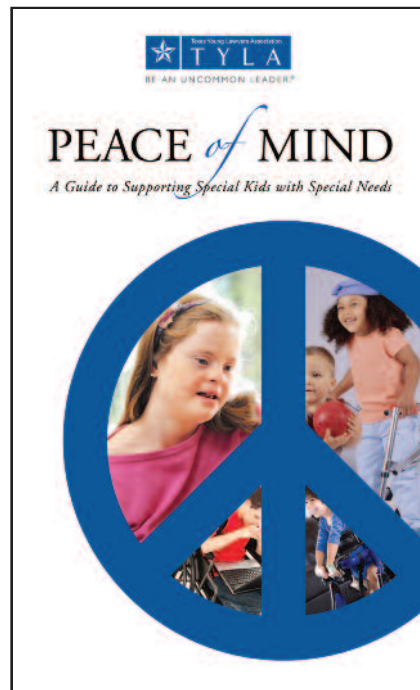
Over the years, the Texas Young Lawyers Association has also recognized that parents of special needs children have a lot of legal questions and has tried to address the various issues that can arise for parents of children with handicaps or special education issues.

One of the first projects was developed in 2007. During this year, TYLA produced a pamphlet titled *Protecting the Incapacitated: A Guide to Guardianship from Application to Oath*. This guide provides a comprehensive look at the steps needed to form a guardianship and provides families of special needs children with some very useful information.

In 2010, TYLA recognized the growing number of children and parents who were asking questions about special education and developed *Special Education Laws and the School Environment: A Guide to Understanding Your Rights as a Parent*. The handbook addresses the educational requirements that parents need to know when dealing with children with a learning disability or other educational issue. It also serves as a tool to help these parents find the resources needed to understand key concepts in the challenging waters of special education.

When I began my year as president, I knew that TYLA was the perfect organization to create a project that could answer even more of the legal questions

asked by parents of special needs children, especially those involving future estate planning and financial planning. Thus, one of our new projects was born: *Peace of Mind: A Guide to Supporting Special Kids with Special Needs*.



When our board started researching this project, we were faced with some alarming statistics, including statistics regarding the absence of planning done by parents for their children's future. According to the National Organization on Disability, more than 54 million people suffer with a handicap or special need. Of these people, the majority of parents have not set up a trust to preserve eligibility for benefits such as Medicaid and Supplemental Social Security. According to MetLife, 84 percent have not written a letter of intent outlining an agreement for the future care of the child;

72 percent have not named a trustee to handle the child's finances; and 53 percent have not identified a guardian for their child.

Through this project, TYLA will identify the importance of future legal and financial planning to care for special needs children. This guide will also address topics such as family support, emotional support for special needs children should the parents not be able to care for the child, as well as information on employment opportunities for disabled adults and the laws regarding housing for disabled adults. Finally, the guide will feature topics on guardianship and special needs trusts.

The *Peace of Mind* project is being chaired by **Leif Olson** of Houston and **Soraya Hanshew** of El Paso with **Lacy Durham** of Dallas, **Becky Mata** of Fort Worth, **Celina Lopez** of Houston, **Amanda Navarette** of Odessa, **Erin O'Driscoll** of Houston, **Danny Razo** of El Paso, **Ken Riney** of Dallas, **Baylor Wortham** of Beaumont, and **Kim Smith** of Plano assisting in the drafting. TYLA Treasurer **Natasha Brooks** is the Executive Committee Advisor. TYLA is appreciative of the efforts of its board members in drafting this much-needed project.

October is National Disability Employment Awareness Month, and TYLA plans to debut this project during the month. We hope this project lives up to its name and provides a little peace of mind to the parents of special needs kids. I know I am especially looking forward to taking it to Camp John Marc!

If you or someone you know can benefit from *Peace of Mind*, please feel free to send me an email at natalie@koehlerlawfirm.net or visit tyla.org for more information. ★