



SHALLOWAY & SHALLOWAY, P.A.

ELDER AND SPECIAL NEEDS ATTORNEYS

Dedicated to preserving personal dignity and financial security.

Personal Injury Settlement Consulting

Does My Client Need a Special Needs Trust?

1. Is the plaintiff a “disabled” person? Yes No
2. Is the disabled person receiving or likely to receive any of the following means-tested public benefits?
 - o SSI
 - o Medicaid
 - o Medicaid Waiver
 - o Section 8 Housing
 - o SNAP (Food Stamps)
 - o Group Home
 - o Other _____
3. Is the plaintiff under age 65? Yes No
4. Has the person or could the person apply for a Determination of Disability by the Social Security Administration (SSA)?
 Yes No
5. Has the person received a disability determination by the SSA?
 Yes No

If the answers to questions 1,2, and 3 and either 4 or 5 are YES, a Special Needs Trust should be considered. If any of the items on the above list have not been addressed, the client has not been adequately protected and a potential malpractice suit may be looming.