

OASIS · AT A GLANCE

Estate Planning Essentials for Families of Autistic Adults

Five core documents, one attorney appointment, and the orphan beneficiary line that quietly destroys SSI eligibility if nobody is paying attention. A field guide to the meeting that has to happen.

BY JIM PALASTY · OASIS FOR AUTISM · 9 MIN READ

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CORE DOCUMENTS

Will, special needs trust, beneficiary designations, durable POA, healthcare proxy. The minimum stack. Anything less is exposure.

How it works

THREE STEPS

List the assets

Bank, retirement, life insurance, real estate, every account with a beneficiary line. One page. Tonight.



Build the five documents

One attorney appointment with everything ready. Two if the estate is complex. The inventory is the brief.



Sign, fund, designate

Sign the documents, fund the trust, update every beneficiary line. The funded trust beats the unfunded one every time.

The five core documents

Will	Pour-over to the trust, names guardian for minors, names executor
Special needs trust	Holds inheritance, names trustee, sets distribution standards
Beneficiaries	Retirement, life insurance, payable-on-death, transfer-on-death
Durable POA	Activates if you become incapacitated, covers financial decisions
Healthcare proxy	Medical decisions for you (the parent), not for your adult
Letter of intent	Companion to the trust, not a legal document, lifesaving
Living will	Pre-stated medical preferences, end-of-life care

WHAT IT LOOKS LIKE

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The attorney called us six months later. She had been reviewing files and noticed our son was still listed as the direct beneficiary on my husband's old 401(k) from his first employer. We had drafted the trust two years earlier. We had funded the new accounts. We had never gone back to that one. Five minutes on the plan administrator's website. We changed the designation. If she had not called, the inheritance would have wiped out SSI.

ELAINE, KALAMAZOO

What matters, at a glance

The IRA that named your son directly

A retirement account or life insurance policy with the autistic adult as direct beneficiary will destroy SSI eligibility the day the parent dies. Most parents have at least one of these and have not noticed.

The will and the trust together

The will points to the trust. The trust holds the inheritance. The autistic adult never holds the money in their own name. That is the architecture in one sentence.

Trustee selection

A trustee with discretionary authority, a moral compass, and a backup. Bank trust departments, professional fiduciaries, and family co-trustees each carry different tradeoffs.

Plan turnaround

A standard estate plan takes thirty to ninety days from intake to signed and funded. Build the runway. Crisis-drafting is more expensive and less correct.

Quality of life preferences

Annual vacation. Music lessons. The community center membership. The trust can fund all of it. Tell the trustee in writing what you want it to fund.

Update on every life change

Marriage, divorce, death, new sibling, new diagnosis, new state of residence. Estate plans go stale. Annual review on the calendar before they do.

BRING THESE · CHECK AS YOU GO

- | | |
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| ☐ Asset inventory complete | ☐ All beneficiary designations identified |
| ☐ Will drafted with trust language | ☐ Special needs trust drafted and funded |
| ☐ Durable POA executed | ☐ Healthcare proxy executed |
| ☐ Beneficiary designations updated on every account | ☐ Annual review on calendar |

YOUR MOVE

Before the appointment, after the appointment

- 1 Inventory every account with a beneficiary designation. Print the current beneficiary on each.
- 2 Schedule a two-hour appointment with a special-needs estate attorney.
- 3 Bring the inventory, the letter of intent if drafted, and the family meeting notes.
- 4 Sign the five documents. Fund the trust. Update every beneficiary designation that day.
- 5 Calendar an annual review. Estate plans go stale faster than most families think.

An unfunded trust is a piece of paper. A funded trust is a plan.

RESOURCES NAMED IN THIS POST

oasisforautism.com · <https://oasisforautism.com>

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ABOUT THE AUTHOR



Jim Palasty

Jim Palasty is the founder of OASIS for Autism and a single father of an adult autistic daughter in Michigan.