

By William Whitaker

# Special Needs Alliance

*Their expertise is unrivaled and their compassion is genuine, so the literature reads. Certainly there is nothing disingenuous about the recent transition of the Special Needs Alliance to a nonprofit organization, nor is there another organization operating in the U.S. that can boast an invitation-only membership of 100-plus expert special needs attorneys who counsel the families of individuals with autism on special needs trusts and other estate planning issues.*

"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 President Edward Wilcenski, a special needs planning attorney in New York State. 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 will soon pass the torch to incoming President Andy Hook.

Hook, a Virginia attorney, 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 persons with autism, what a complex maze that can be.

Wilcenski says that estate planning for individuals living with autism presents unique problems because of the comparatively high functionality of many of those coping with the disability. 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 imperative 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, the individual could lose Supplemental Security Income benefits, or Medicaid, or worse. Enter the Special Needs Alliance.

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, they

are the arguers of these cases.

"Not only do we share information about what's going on," 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 a unique animal in the legal profession.

"Many of our attorneys have personal experience in assisting persons with disabilities," 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 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."

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 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," Wilcenski says. "There's just no substitute for credibility in this discipline," which is evident in the SNA's highly selective, invitation-only model.

For families, the challenges that autism presents are many. Establishing a routine, developing a strategy to create the best life possible for the loved one living with autism,



Edward Wilcenski



Andy Hook

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and working diligently to help the individual succeed on a daily basis and long-term are honorable and difficult challenges. The Special Needs Alliance understands these issues, and they are eager to assist with the legal and financial considerations that accompany such a diagnosis. Their passion and empathy are refreshing commodities that speak to the core values of advocacy. **TAP**

Visit the Special Needs Alliance Web site, [www.specialneedsalliance.com](http://www.specialneedsalliance.com), or call 877.572.8472 to locate an attorney in your area.

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