

## **Estate planning for Families with special needs adults**

A person with challenges is not entirely forbidden from devolving their estate. There are various ways to determine whether a person is suffering from mental incapacity. They include:

- The span of alertness and attention, including poor arousal or consciousness
- Slow information processing which may include deficits in short or long-term memory
- Slowed or total loss of thought processes such as severely disorganized thinking
- The inability to modulate mood and effect from their surrounding

Where incapacity due to special needs affects the total recognition of the event of estate planning, other legal ways may be sought to aid estate planning.

When a person of this nature is engaged in estate planning, the following should be considered:

- Extent of special need to the entire crafting of estate planning
- Capacity to make a valid will
- The possible legal challenges
- The serious need to consult an advocate