

GLOSSARY OF TERMS FOR FUTURE PLANNING

Legal Documents

Letter of intent: a personal document expressing your wishes for your child which are not included in the will. It has no legal standing, but acts as a guide for guardians, **Power of Attorney** agents, and trustees. It can be provided to your selected guardians and a copy can be saved with the lawyers who helped you set up your **Will** and Powers of Attorney.

Power of Attorney (POA): Also, Powers of Attorney (POAs). Creates agents, who are people who can legally act on behalf of your child for financial, health care and other life areas are selected by you, for after your death or when you are temporarily or permanently not capable of caring for your child. These agents do not have to be the same people you select as guardians. These are legal documents best prepared with the help of a lawyer and must be notarized.

Will: a document that usually includes almost all of your instructions for how you want your child to be cared for when you die

Decision-Making Authority

Conservatorship of an Adult: a court-appointed person makes property and/or financial decisions for the adult with disabilities. Like **guardianship**, the petition may be denied if less restrictive options are not tried first.

Guardianship of an Adult: a court-appointed person makes decisions for the adult with disabilities. Guardianship may be combined with Conservatorship. Guardianship is the most restrictive option and may not be granted unless there is evidence that less restrictive alternatives are unworkable.

Informed Consent: This is a limited option for supporting medical decisions when a health care provider determines that an individual is unable to properly understand their condition or make fully informed decisions ([RCW 7.70.065](#)). Note that an individual with a **Supported Decision Making (SDM)** agreement may be able to demonstrate they can make their own decisions about healthcare with the help of their supporter.

Mental Health Advance Directive: Invoked if someone with a mental illness loses capacity, it is an example of a limited Power of Attorney document that an individual might choose to sign.

Power of Attorney: An individual (in this case, your adult child) can sign a legal document to give someone else power to make decisions on their behalf under limited or general circumstances.

Supported Decision-Making (SDM): It's a legal agreement to make sure an adult with disabilities has trusted helpers watching out for their well-being. An SDM agreement does not remove the adult individual's rights but creates a way for the individual and their supporters to make choices together.

Decision-Making Authority

Protective Arrangement: A court-appointed person makes decisions for the person with disabilities related to specific and limited conditions, such as specific medical decisions or contact with a specific individual who might cause harm.

Representative Payee: The Social Security Administration (SSA) may determine that an individual receiving benefits needs a payee to manage their income. If an individual disagrees with the administration's decision to appoint a payee, they must present evidence of their ability to manage their money.

Financial Programs & Protections

ABLE Account: a tax-advantaged savings account that can fund disability expenses. Currently, the beneficiary of the account (the person with a disability) must have acquired the disability before age 25, and this age limit will increase to before age 46 on January 1, 2026. The beneficiary of the account owns the fund. Interest (income) earned by the fund will not be taxed. Anyone can contribute to the account (the individual with disabilities, their family members, friends, or a Special Needs Trust or Pooled Trust).

The funds in the ABLE Account are generally NOT COUNTED as income or assets against an individual's eligibility for SSI, Medicaid, and other programs with income and asset limits, such as federal student aid, HUD housing programs, and SNAP (food stamp) benefits.

Social Security Disability Insurance (SSDI): A program for disabled and blind persons. The amount of the benefit is based on your child's contributions to Social Security OR based on the parents' earnings. Your child must meet Social Security criteria for disability. Social Security Administration provides a [useful comparison chart on important differences between the two programs on their Red Book page](#).

Special Needs Trust (SNT): A legal "tool" for managing funds, set up so that the beneficiary of the trust can have the funds used on their behalf. Money in the SNT is not counted against income limits for government benefit programs. You can arrange for the Special Needs Trust to be the beneficiary for life insurance policies and retirement plans.

Supplemental Security Income (SSI): This program makes cash assistance payments to aged, blind, and disabled persons (including children) who have limited income and resources. Many states pay a supplemental benefit to persons in addition to their Federal benefits. People who qualify for SSI may, in some states, qualify for Medicaid health insurance, which is either free or low-cost.

Military Benefits

Secondary Dependency: A classification that allows a military servicemember's adult dependent with disabilities to continue accessing installation facilities (like medical services, recreational programs, and family supports) once they've aged out of dependent status. The adult must meet the criteria for the relationship to the sponsoring servicemember, be unmarried, unable to support themselves due to a mental or physical disability that began before age 21 (or age 23 if they are a full-time student), and receive more than half of their living expenses and financial support from the servicemember.

Learn more about [Planning for Your Child's Future in this PAVE article](#).

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