

Guardianship/SSI Checklist for Special Needs Families



Randi L. Johnson, Managing Attorney
GravisLaw.com | 509-567-3003

Before the Child Turns 18



1-2 Years Before

Research and Education:

- Begin researching SSD, SSI, and the differences between Guardianship and Conservatorship.
- Attend workshops or consult with a special needs planner or attorney.



1 Year Before

Documentation:

- Start gathering medical, educational, and care documentation that demonstrates the child's disabilities and needs.

Financial Review:

- Review your financial situation, including your child's eligibility for SSI.
- Consider setting up an ABLE account for your child's expenses.



6 Months Before

Legal Consultation:

- Meet with a special needs attorney to discuss the need for Guardianship or Conservatorship.

Application Preparation:

- Begin preparing the application for SSI, to be submitted as soon as your child turns 18.

After the Child Turns 18



Immediately After 18th Birthday

Submit SSI Application:

- Apply for SSI to establish financial support based on your child's disability.

Initiate Legal Proceedings:

- File a petition for Guardianship or Conservatorship if necessary.



1-3 Months After Filing

Medical Evaluations:

- Complete required medical evaluations and interviews for SSI.

Court Hearings:

- Attend any required court hearings for the Guardianship or Conservatorship petition.



3-6 Months After Filing

SSI Decision:

- Await the decision on the SSI application; this can take a few months.

Guardianship/Conservatorship Approval:

- Finalize the Guardianship or Conservatorship process if approved.

Ongoing

- Annual Reviews: Prepare for and complete any annual reviews required for SSI and Guardianship or Conservatorship.
- Update Documents: Regularly update all medical, educational, and legal documents.
- Financial Management: Manage the child's finances, including SSI benefits and any other income, responsibly.
- Continued Education: Stay informed about changes in disability law and benefits.

Notes

- Local Variations: Legal processes and timelines can vary by state; always check local laws and regulations.
- Documentation: Keep detailed records of all applications, legal papers, and communications.
- This framework is a starting point. Each family's situation is unique, so tailor this checklist to your child's specific needs and consult with professionals where necessary.