ED SLOTT'S IRA ADVISOR

May 2007

TAX & ESTATE PLANNING FOR YOUR RETIREMENT SAVINGS

Planning for Disabled IRA Beneficiaries

See pages 6-8

"If we could sell our experiences for what they cost us, we'd all be millionaires."
-Dear Abby (1918-) Pauline Phillips a/k/a Abigail Van Buren

Tax season is over (for some) and last year's transactions are history. With IRAs like everything else, we can learn from history, or repeat it. The biggest problem year after year is missed required minimum distributions (RMDs) both for retirement plan owners and beneficiaries who are still generally confused about the RMD requirements of the different types of plans.

The biggest problem year after year is missed required minimum distributions.

This is a signal for you to plan ahead now to avoid similar RMD problems for 2007. This month's feature article ***"Avoiding RMD Mistakes"*** will help you be a more proactive advisor with your clients who will have IRA distributions this year. Most RMD problems can be made less stressful for both you and your clients by addressing them during the current year, instead of waiting until next tax season when, once again, it may be too late to fix the problems.

For the past few months we have been updating you on the IRS procedures (from IRS Notice 2007-07) for certain provisions from the Pension Protection Act of 2006 (PPA). This month we continue with the updates and highlight the Qualified Charitable Distribution provision which is in effect for this year. Our article ***"IRS Update on Qualified Charitable Distributions (QCDs)"*** shows you how to take advantage of this short-lived tax break.

Our Guest IRA Expert for this month is Attorney Edward V. Wilcenski, partner with the Clifton Park, NY law firm of Jones & Wilcenski PLLC, and a member and current general manager of the Special Needs Alliance. Ed concentrates his practice on estate planning for younger disabled clients. His article ***"Planning for Disabled IRA Beneficiaries"*** provides advice and how to plan both before and after death when the IRA beneficiary has special needs. I am sure this is an issue that every advisor is asked about at one time or another. Now you have the information you need to provide the right advice to your clients and their families.

For more IRA information, visit our website at ***www.irahelp.com***.

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WHAT'S INSIDE?

Avoiding RMD Mistakes

Once again, the single biggest IRA issue that was discovered at tax time was missed required minimum distributions (RMDs), both for IRA owners and beneficiaries. When CPAs and other sharp tax professionals ask their tax clients about RMDs, the missed distribution is discovered.

Not only is this still the single biggest IRA mistake, but missing a required minimum distribution also carries one of the biggest penalties in the tax code. It's a 50% penalty for a missed RMD. It is a 50% penalty on the amount that should have been withdrawn, but wasn't. But the penalty can be waived by making up the missed distribution and asking IRS to abate the penalty. The penalty is commonly waived for good cause, but the missed RMD still must be taken.

It seems hard to figure out how RMDs are missed when each financial institution sends every IRA owner notification. If an IRA owner who is subject to RMDs has 10 IRAs, then he will have received 10 letters from his banks, brokers and fund companies alerting him to his RMD requirements. Even though the IRA custodians have been notifying IRA owners about their RMDs, they are still missed, forgotten or incorrect amounts are withdrawn. So how can RMDs be missed or messed up like this?

Even though the IRA custodians have been notifying IRA owners about their RMDs, they are still missed, forgotten or incorrect amounts are withdrawn.

Some people just don't open mail from their financial institutions. They see that the letter is from their bank, so they don't open it. They put it in a file to save for their accountant at tax time. Then at tax time when the accountant has seen the letters and asks about it, the missed RMD is brought to light. Other times people tell us that they treat the mail like junk mail. They say that they receive so much mail from financial institutions that they disregard most of it and in some cases they say that they just throw it away!

Another mistake is when IRA owners take their RMD out of a spouse's IRA. They misunderstand the rule that says you can withdraw your RMD from any one of your IRAs. One taxpayer (and he's not alone) believed this meant his or his wife's IRA and so he took both of their RMDs from his wife's IRA. That is not what the rule means. You cannot take your RMD from another person's IRA, even that person is your spouse. In this case the IRS waived the 50 percent penalty but disallowed any credit (for the tax he'd paid) on the RMD he'd wrongly taken from his wife's account and the IRS still required him to take the back RMD he missed taking from his own IRA. He ended up having to withdraw more and pay more tax, but at least the damage wasn't compounded by a 50 percent penalty.

There has to be a better way and there is. It's a matter of alerting clients and monitoring the RMDs. Every advisor should be doing this to avoid these last minute revelations.

RMD Basics For IRA Owners and Plan Participants

You can't keep your money in your plan forever. That's why there is a Required Beginning Date (RBD) and the 50% penalty for not taking Required Minimum Distributions (RMDs). Calculating the first required distribution can be a bit confusing, mainly because the rules for the first RMD are slightly different from the rules for all future RMDs.

Required Beginning Date (RBD)

Your first RMD should be taken by December 31 of year you turn 70½. However, the date you must begin RMDs is generally April 1 of the year following the year you turn 70½. If you turn 70½ at any time in 2007, then your RBD is April 1, 2008. If you wait until 2008 to take that first RMD, you have to also take a second RMD by December 31, 2008. For most taxpayers it doesn't make sense to double up on the distribution in one year.

Exceptions to the April 1 RBD

"Still Working" Exception

For those who have 401(k)s or other employer plans (not IRAs, SEPs or SIMPLEs), your required beginning date is the same April 1 date as for IRA owners, unless you are still working for the company where you have the plan. If you don't own more than 5% of the company, you can delay your RBD to April 1 of the year following the year you finally retire. This is sometimes called the "still working" exception to the RBD.

For example, if you have an IRA, a 401(k) and a 403(b) plan and you are still working for the company that sponsors your 401(k) (and you don't own more than 5% of that company), you can delay distributions from your 401(k) until April 1 of the year following the year you retire, regardless of age. However, this exception does not apply to your IRA or, in this example, to the 403(b) since you were not working for that employer.

"Old Money" Exception for 403(b)s

Old money does not mean that it is from J. Paul Getty, it means 403(b) plan money contributed before 1987. Required distributions on the balance of your 403(b) plan at December 31, 1986 can be delayed until age 75. You must have a cut-off balance clearly showing the December 31, 1986 balance, which most plans will have readily available or it may even be on your current statement. The remaining 403(b) account balance (post 1986 money, a/k/a the "new money") must still follow the regular age 70½ IRA distribution rules.

RMD Basics For IRA and Plan Beneficiaries

Death gets you out of pretty much everything under the tax code, except RMDs. Any RMD not taken by you in the year of death is still required and must be taken by the beneficiary. It is not taken by the estate, unless the estate is the beneficiary. The beneficiary reports the income on his own tax return.

If the IRA owner dies before his RBD, no distributions are required for the year of death even if the IRA owner dies in the year he turned age 70½.

Example:
Joe, the IRA owner turns age 70½ in 2007 and his RBD is April 1, 2008. If he dies on March 29, 2008 just a few days before his April 1, 2008 RBD, he will be treated as having died before his RBD and his heirs do not have to take any required distributions as Joe would have had to, had he lived. The first RMD for Joe's beneficiary will be due by the end of 2009, the year after Joe's death. The IRS Regulations state that required distributions only apply if "an employee dies on or after the employee's required beginning date."

IRA and plan beneficiaries are also subject to RMDs and the 50% penalty for not taking them. Beneficiaries can be individuals or entities, such as a trust, estate or charity. Individual beneficiaries would be either spouses or non-spouses.

RMDs generally will begin in the year after death of the IRA or plan owner. Non-spouse beneficiaries of plans may by subject to the plan's own rules which may require withdrawals under the 5-year rule or even within the year after death. A beneficiary subject to the 5-year rule, must completely distribute the account balance by the end of the 5th year following the year of death. A non-spouse plan beneficiary would be stuck with that option unless the plan allows the Pension Protection Act provision permitting a transfer to an inherited IRA effective in 2007. Roth IRA beneficiaries are also subject to RMDs even though Roth IRA owners are not.

Spouse Beneficiary
Spouse beneficiaries may be able to delay required distributions. If the spouse beneficiary chooses to roll the IRA over or treat it as her own, she is subject to the regular IRA distribution rules for IRA owners. If she is 50 years old for example, once she rolls the IRA over she is not subject to required distributions until she reaches age 70½, even if her husband was already taking required distributions. If the spouse elects to remain as a beneficiary on a traditional or Roth IRA, then required distributions can be delayed until the later of December 31st of the year the IRA owner would have reached age 70½, or December 31st of the year following the year of the IRA owner's death.

Proactive RMD Planning

For the coming year, advisors should identify all clients and beneficiaries who are subject to RMDs and alert them to this year's RMD requirements now. Now is the time to find out which clients are subject to RMDs for the coming year and plan out how much must be withdrawn from which accounts. Then create a withdrawal monitoring plan so that all RMDs are taken by year end. This can be accomplished by using our 5-Point Plan for Foolproof RMDs.

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5-Point Plan for Foolproof RMDs

1. Identify clients with retirement accounts (including inherited accounts)

This is the first step because this identifies every client who could potentially be subject to RMDs either as an IRA owner, a plan participant or a beneficiary of any type of IRA or company plan. For many advisors this list could be the entire client base since most clients do have some type of retirement account. In fact, this exercise would reveal the minority of the clients who have no retirement accounts and that should be looked into. You should know why a client has no retirement account at all and this may lead to opportunities to create a retirement plan for themselves or their businesses.

2. Determine which clients are subject to RMDs Do any exceptions apply?

Identify all clients who are older than age 70½. The odds are pretty good that each of these clients are subject to RMDs, unless an exception applies. Then you would look to see how many of your younger clients are subject to RMDs.

How can someone younger than 70½ be subject to RMDs if the required beginning date is after an IRA owner turns 70½ year old? Easy. Spouse and non-spouse IRA beneficiaries are subject to RMDs at any age.

Advisors should also identity non-individual beneficiaries (a trust, estate or a charity) that are subject to RMDs. Since these are entities and not people, advisors need to identify and notify the parties who are responsible for taking RMDs on behalf of these entities. An example would be the trustee of a trust or the executor of an estate.

3. Calculate RMDs from both IRAs and Plans

Once you have identified the clients subject to RMDs, you can help them make the calculations. But the calculations depend on how many and which types of retirement accounts they have. You need to have a complete inventory of all of their retirement accounts so you can identify which accounts are subject to RMDs.

Use the Right Balance

The required distribution for 2007 is based on the December 31, 2006 balance in the retirement account.

Multiple Retirement Accounts

If there are multiple IRA accounts, 2007 RMDs are based on the December 31, 2006 balance in all IRAs combined. This balance includes IRAs, SEP-IRAs and SIMPLE IRAs. It does not include IRAs that are inherited or Roth IRAs. The RMD amount can be withdrawn from any one or combination of these IRA accounts.

Withdrawing from a beneficiary IRA cannot satisfy the required distribution on your own IRA. The required distribution on the inherited IRA must be calculated separately and withdrawn only from that account or from another beneficiary IRA that you inherited from the same person.

This year, don't let any client miss an RMD.

You cannot satisfy your traditional IRA required distribution by withdrawing from a Roth IRA and vice-versa. Roth IRA beneficiaries who are subject to required distributions must withdraw from the inherited Roth IRA. They can only aggregate Roth IRAs inherited from the same person.

403(b) plans, like IRAs can be combined for figuring required distributions, but you cannot satisfy your required IRA distribution by withdrawing from your 403(b) plan or vice-versa.

If you have qualified plans, such as a 401(k), the required distribution amount for each plan must be figured separately and taken only from that plan. For example, if you have 4 different Keogh plans, you must withdraw the required amount from each plan.

4. Create a withdrawal plan

Having a withdrawal plan is crucial. Whether it is a sticky note posted somewhere (not recommended, they have been known to fall down behind a piece of furniture) an entry on a calendar, or an automated withdrawal set up at the IRA custodian, something is needed to ensure that each RMD is taken. The surest method is the automatic withdrawal. It can be set up monthly, quarterly, or once a year, depending on the client's needs. A once a year withdrawal should be timed to come out before Thanksgiving so there is enough time before year-end to address any problems.

As an IRA owner gets older, the distribution should be moved to a point earlier in the year to allow beneficiaries enough time to complete RMDs before year-end in the year of death. It is also a good idea to have a Power of Attorney in place in case the IRA owner becomes incapacitated. This way, the holder of the power can take the RMD for the incapacitated IRA owner. Careful consideration should be given to the powers granted to the POA holder (i.e. should they be able to change beneficiaries?).

As an added precaution, the automatic withdrawal can be set up to go directly to an account (a non-IRA account) of the client to eliminate the possibility of the distribution getting lost in the mail.

5. Do a Year-End RMD Check-Up

This should be easy but is often the key step that is overlooked until it is too late. No later than Thanksgiving, you should check on all of your clients' distributions from every type of account to see where they are in relation to the total RMD for the year. This check up would include all your clients set up for automatic withdrawals as systems have been known to skip a distribution now and then. You can then work with your clients who have not totally satisfied their RMD for the year to be sure that any balance remaining is withdrawn. This step alone will eliminate those frantic calls from your client next year when they realize they missed an RMD.

What to do About the 50% Penalty

This year, don't let any client miss an RMD. But in the event that happens, take immediate corrective action. Don't wait for IRS to discover the error. Make sure the client takes that missed RMD immediately in the current year along with the current year's distribution.

When the income is reported Form 5329, "Additional Taxes on Qualified Plans (including IRAs) and Other Tax-Favored Accounts," is to be filed. Include a letter explaining why the distribution was missed and ask for IRS to abate the penalty. You no longer have to pay the penalty first and request a refund.

The explanation must show reasonable cause. The important point is that you made up the missed distribution, otherwise you will not be relieved of the penalty. IRS will waive the 50% penalty for those who make an honest mistake – and even the IRS can consider forgetting an RMD to be an honest mistake. ■

IRS Update on Qualified Charitable Distributions (QCDs)

IRS Notice 2007-7, released on January 10, 2007, held some surprises. Here is a recap of both the original rules from the Pension Protection Act of 2006 allowing direct transfers from IRAs to charity for those age 70½ or older along with the recent IRS revisions.

Recap of the Qualified Charitable Distribution Rules

- Only applies to IRA owners or beneficiaries age 70½ and over

- Only applies to direct transfers of IRA funds to charities and not gifts made to grant making foundations, donor advised funds or charitable gift annuities

- No split interest gifts of any type will qualify

- Gifts must be made by 12/31/07

- Applies to IRAs, Roth IRAs and inactive SEP and SIMPLE IRAs. It does NOT apply to distributions from any employer plans.

- The charitable donation from your IRA will satisfy your required minimum distribution, but the IRA distribution is not includable in income

- You cannot take a deduction for the charitable contribution

- For a married couple where each spouse has their own IRAs, each spouse can contribute up to $100,000 from their own IRAs. If more than $100,000 is withdrawn from the IRA and contributed to a charity, there is no carryover to a future year. The excess is taxable income and a charitable deduction can be claimed if the taxpayer itemizes.

- The contribution to the charity would have had to be entirely deductible if it were not made from an IRA. There can be no benefit back to the taxpayer

- The distribution from the IRA to a charity can satisfy an outstanding pledge to the charity without causing a prohibited transaction

- The charitable substantiation requirements apply

- QCDs apply only to taxable amounts. This is an exception to the pro-rata rule. Only taxable amounts in a Roth IRA will qualify

The charitable distribution will only be qualified if the distribution is made on or after the date the IRA owner or the beneficiary attains age 70½...

The first surprise here is that IRA beneficiaries will be allowed to make Qualified Charitable Distributions (QCDs) as well as the IRA owner. Yes, that's right, surprisingly this provision also applies to IRA beneficiaries. The charitable distribution will only be qualified if the distribution is made on or after the date the IRA owner or the beneficiary attains age 70½, not in the year the owner or beneficiary attains that age. This is not how other age 70½ IRA rules are interpreted.

Example:

Sue wants to make a QCD to her church. She turned 70 years old on January 2, 2007. Sue cannot make her QCD until after July 2nd when she turns 70½.

For married couples where each spouse has their own IRA, each spouse can transfer up to $100,000 from their own IRA to charity as long as each spouse meets all the QCD qualifications.

However, there will be no gift splitting allowed for charitable distributions. An IRA owner will not be able to make a distribution of $200,000 and split that gift with his spouse. In our example of Mark and Lynda, Mark cannot make a charitable transfer of $200,000 from his IRA and split that gift with Lynda.

Another surprise came with regard to charitable transfers from SEP and SIMPLE IRAs. Notice 2007-7 says that you can make a transfer from those types of IRAs as long as they are not "ongoing." An ongoing plan is defined as one where an employer contribution is made for the plan year ending with or within the IRA owner's tax year in which the charitable contributions would be made.

A check that is payable to a charity and that is sent to the IRA owner for delivery to the charity will be treated as a direct payment. If this is done close to the end of the year, make sure your clients meet applicable deadlines for delivery before year end (i.e. "in the mailbox").

A charitable distribution to a charity where the IRA owner has an outstanding pledge will be treated as a qualified charitable distribution and not as a prohibited transaction.

A distribution from a checkbook IRA to a qualified charity will qualify as a QCD. The Notice says that a check from an IRA payable to a charity and delivered by the IRA owner to the charity will be considered a direct distribution from the IRA custodian. ■

Guest IRA Expert

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Planning for Disabled IRA Beneficiaries

IRA owners and their advisors need to be aware of the importance of careful planning when an IRA beneficiary has a disability. In many cases, astute estate planning calls for an IRA to be left to a trust. An individual beneficiary may be inexperienced in handling large sums of money, for example, or may have shown a tendency to spend wildly. Leaving an IRA to a trust in the hands of a responsible trustee can protect such a beneficiary from squandering a substantial inheritance. Some of the same concerns may arise when a beneficiary has a disability: physical, mental, or emotional. That is not always the case, though.

As a first step, the IRA owner and advisor should determine the nature of the disability of the future IRA heir. Many individuals with physical disabilities (someone in a wheelchair as a result of a spinal cord injury, for example) are fully capable of handling their own finances, so a trust might not be necessary. Even if an intended beneficiary has a cognitive disability and is not capable of managing his own money (a child with profound mental retardation, for example), a basic discretionary trust may be adequate. A reliable trustee can be given the fiduciary responsibility of investing and distributing the trust fund for the benefit of an individual with a disability.

Even if an intended beneficiary has a cognitive disability and is not capable of managing his own money, a basic discretionary trust may be adequate.

Because this beneficiary will be unable to speak for himself, the trustee will need to ensure that there is a reliable means of obtaining information about the beneficiary (often through a family member, guardian, or social worker). Otherwise, such a trust might be of the "plain vanilla" variety, similar to a discretionary trust established for a minor.

The Special Needs Trust

Complications can arise because many individuals with disabilities are supported in the community through a variety of means-tested entitlement programs, such as Supplemental Security Income (SSI) and Medicaid. Most entitlement programs have very specific rules governing the treatment of trust funds. Therefore, the IRA owner and advisor should not only determine the nature of the disability, they also should learn whether the future IRA beneficiary is participating in a government program in which assets and income must be limited. In most of these means-tested programs, an inherited IRA will terminate participation.

If a future IRA beneficiary is or likely will be participating in a means-tested program, the planner should consider whether a "special needs trust" (also called a "supplemental needs trust") should be part of the client's overall estate plan. These trusts are designed to allow the beneficiary to maintain eligibility for most means-tested programs, while still allowing the trustee to access trust funds to pay for goods and services that enhance the quality of the beneficiary's life. Such goods and services might include recreational items such as a computer or tickets to the movies. The trust also could pay for educational items such as a private tutor for a beneficiary with a learning disability.

While the specific terms of a special needs trust will vary from state to state, in general this type of trust will include language that limits or prohibits the use of trust funds for basic needs: food, clothing, shelter, and medical care. Those basics will remain the responsibility of relevant entitlement programs.

In addition, a special needs trust (like most discretionary trusts) will not provide the beneficiary with a right to withdraw funds or otherwise compel distributions; if the beneficiary had such a right, the principal of the trust would be considered "available" to the beneficiary and impact ongoing entitlement program eligibility. Instead, funds are distributed on a discretionary basis by the trustee.

Types of Trusts

Planning with special needs trusts can be complicated because there are two types:

- First-party trusts. These are funded with the beneficiary's own assets. Upon the death of the beneficiary who has a disability, there is a repayment to the state Medicaid program, which most people would like to avoid.

- Third-party trusts. These are funded with the assets of another party, such as the beneficiary's parents. There is much more flexibility when planning with third-party money because no Medicaid repayment is required.

In PLR 200620025, the IRA was left outright to four beneficiaries, including one who had a disability. The court permitted the transfer of that beneficiary's share to a special needs trust. However, this was a first-party trust because the beneficiary had inherited his share of the IRA outright, so the state Medicaid program will have a repayment right against trust property upon the beneficiary's death.

Better planning would call for the IRA to be left to a trust drafted as part of a parent's estate plan. This might be either a testamentary trust under a will or a "free-standing" trust drafted specifically for this purpose. Because the funds going into this trust (the trust named as IRA beneficiary) would never be owned directly by the trust beneficiary, it would be drafted as a third-party special needs trust. Upon the trust beneficiary's death (and presuming there were funds left in the trust), the remaining balance could be distributed to other family members rather than repaying the state.

If a client wants to name a special needs trust as beneficiary of an IRA, the planner should be familiar with two more terms: "conduit trusts" and "accumulation trusts."

Incorporating gifts to charities into an estate plan that also includes a special needs trust represents a particularly challenging area for planner and client alike.

As a rule, a special needs trust should not be drafted as a conduit trust. That is, it should not be a single-beneficiary trust where the trustee is required to take at least the required minimum distribution (RMD) from an IRA each year and then pass that amount out to the trust beneficiary. In general, trust assets paid out directly to the beneficiary will disqualify the beneficiary from participation in most means-tested programs.

Instead, a special needs trust usually will allow the trustee to accumulate income (including the minimum distributions taken by the trustee) within the trust, so it will be an accumulation trust.

Required Minimum Distributions

Although using an accumulation trust will prevent the loss of entitlement program eligibility, RMDs must be taken over the life expectancy of the oldest trust beneficiary. Ideally, the beneficiary with a disability will be named as primary beneficiary and someone close to his age or younger will be the contingent or remainder beneficiary.

A sibling or a cousin might be named, for example. If such a backup beneficiary exists and can be included in a manner consistent with the client's estate plan, RMDs can be stretched out and valuable tax deferral preserved.

That ideal scenario is not always possible, and may be inconsistent with the client's overall planning objectives. For example, a beneficiary with a disability may be receiving services and support from a charitable organization that serves the disability community. In many cases, the beneficiary's parents want to ensure that funds in the trust will be available for the lifetime of the child, with the remainder passing to the charity in recognition of its hard work and advocacy.

Because the charity is not considered a "designated beneficiary" for RMD purposes, the IRA would have to be distributed much more rapidly (fully distributed by the fifth anniversary of the IRA owner's death, if death occurs before the IRA owner's required beginning date). If the IRA owner dies after his required beginning date then the payout will be over the deceased IRA owner's remaining single life expectancy. Neither of these options are generally as good as stretching distributions over the beneficiary's longer lifetime. This dilemma is frequently encountered in situations where the child with the disability is an only child.

One solution is to have the parent leave the IRA to a charitable remainder trust (CRT). The IRA can be fully distributed to the CRT without adverse tax consequence. A separately drafted special needs trust can be designated as the income beneficiary of the CRT. Depending on how the special needs trust is designed, the CRT may pay income to the special needs trust for 20 years or for the life of the beneficiary with a disability.

Payments from the CRT can be accumulated within the special needs trust or used for the beneficiary, as described above. Upon the death of the beneficiary (and subject to some restrictions suggested by IRS Revenue Rulings and Private Letter Rulings on this subject), funds left in the CRT will pass to the charity. Any funds remaining in the special needs trust would pass to an individual or entity selected by the parents.

While this can be a cumbersome arrangement to establish and administer, it can be a highly effective way to maximize the dual objectives of the families of individuals with disabilities.

Incorporating gifts to charities into an estate plan that also includes a special needs trust represents a particularly challenging area for planner and client alike. Good legal advice from an attorney well versed in both charitable estate planning and special needs practice is a must.

Advisor Action Plan

* Find out if a client wants to leave some or all of an IRA to a beneficiary with a disability.

* If that is the case, determine whether that individual is (a) incapable of handling finances and (b) reliant

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upon means-tested public programs.

* If (a) and (b) apply, suggest leaving the IRA to a special needs trust. This must be an accumulation trust, where the trustee has complete discretion over distributions.

* See if there is another individual, about the same age as or younger than the special needs trust beneficiary, who can serve as back-up beneficiary of the trust.

* If the IRA owner wants any remaining trust assets to go to a charity, suggest using a charitable remainder trust as IRA beneficiary and naming the special needs trust as income beneficiary of the remainder trust.

* Work with an attorney experienced in drafting special needs trusts. The Special Needs Alliance (www.specialneedsalliance.com) is a national organization of attorneys with this background and expertise. ■

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