

How to Choose a Trustee for My Child's Special Needs Trust: An Essential Checklist

Choosing a trustee for your child's Special Needs Trust is one of the most important decisions you'll make. The trustee will manage money, make decisions, and ensure your child's future needs are met—so you want to choose wisely!

Use this checklist to help you select the right person or organization to handle your child's trust with care, responsibility, and love.

Basic Qualities of a Good Trustee

A trustee should have these key qualities to manage your child's trust effectively:

- Trustworthy – Someone you completely trust to act in your child's best interest.
- Responsible with Money – Must be able to budget, pay bills, and manage investments wisely.
- Organized & Detail-Oriented – Should keep track of payments, reports, and legal requirements.
- Knowledgeable (or Willing to Learn) – Understanding of government benefits like Medicaid & SSI.
- Caring & Compassionate – Should care about your child's well-being and happiness.
- Good Communicator – Able to work with attorneys, financial advisors, caregivers, and family members.

Does the person you're considering meet all these qualities? If not, you may want to choose a co-trustee or a professional trustee.

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Important Questions to Ask When Choosing a Trustee

1. Do they have the time and ability to manage the trust?

A trustee must be available to handle finances, monitor government benefits, and make decisions—sometimes for decades!

2. Do they understand my child's unique needs?

It helps if the trustee knows your child personally or is willing to learn about their needs, preferences, and challenges.

3. Are they good with money and legal matters?

The trustee will invest, budget, and distribute funds wisely while following the rules of the trust. If they don't have these skills, they may need a professional co-trustee.

4. Do they understand government benefits?

Special Needs Trusts must be managed carefully to ensure your child keeps important benefits like Medicaid and SSI. A good trustee knows these rules or will work with an expert.

5. Will they be around for the long term?

Since a Special Needs Trust can last a lifetime, think about the trustee's age, health, and long-term availability. If they may not be able to serve in the future, consider a backup trustee.

6. Are they comfortable making tough decisions?

The trustee will have to say "no" sometimes if a request violates government benefit rules or isn't in your child's best interest.

7. Will they work well with others?

Your trustee may need to collaborate with caregivers, attorneys, accountants, and family members. Choose someone who is patient and professional.

Who Can Serve as a Trustee?

You have a few options when selecting a trustee:

- A Family Member – Someone who knows and loves your child (a parent, sibling, or relative).
 - *Pros:* Knows your child personally, may not charge a fee.
 - *Cons:* May not have financial or legal experience, may become overwhelmed.
- A Professional Trustee (Bank, Lawyer, or Trust Company) – An expert who manages trusts.
 - *Pros:* Experienced in handling money and government benefits, impartial.
 - *Cons:* Charges fees, may not have a personal connection with your child.
- A Co-Trustee Arrangement – A family member + a professional trustee.
 - *Pros:* Combines personal care with financial expertise.
 - *Cons:* Requires good teamwork between both trustees.
- Backup Trustee (Successor Trustee) – Someone who takes over if the first trustee can't serve anymore. Make sure you name a backup trustee in case something happens to the primary trustee!

Steps to Choosing the Right Trustee

Follow these steps to make the best choice:

- **List potential trustees** – Consider family members, close friends, and professionals.
- **Compare their strengths and weaknesses** – Who has financial skills? Who knows your child best?
- **Talk to them about their willingness** – Make sure they are ready and able to take on the role.
- **Consult an attorney** – A lawyer can help you draft or update the trust to reflect your choice.
- **Set up a Letter of Intent** – This document guides the trustee with details about your child's life.
- **Review your decision every few years** – Circumstances change, so update the trustee if needed.

Final Thoughts

Choosing a trustee for your child's Special Needs Trust is a big decision, but with careful thought and planning, you can find the right person or team to protect your child's future.

Remember: A good trustee doesn't just manage money—they help ensure your child's lifelong security, happiness, and well-being.

- Take your time
- Ask for help from an attorney
- Choose wisely and with love.

Your child's future is worth it!