



# PLAN|NJ NEWS

THE NEWSLETTER OF PLANNED LIFETIME ASSISTANCE NETWORK OF NEW JERSEY  
FUNDED BY THE NEW JERSEY STATE BAR FOUNDATION

FALL 2011

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Who will care for your loved one when you are gone?

**PLAN NOW!**

## CLIENT CORNER: A New Lease on Life



Robert W.

Robert W. is thoroughly enjoying life. As he sits in his cozy living room in his home, located on a quiet residential street in Marlton, he recites his new mantra, “I love my life, I love my home and people love me.” This is a complete turnaround for Robert, who a few years ago was depressed as a resident at New Lisbon Developmental Center. “When I first met Robert, he was unhappy and wished for a more productive life,” explains Nadine Hoston, Planned Lifetime Assistance Network of New Jersey (PLAN/NJ) service coordinator. “He was determined to live in the community and he worked hard to make that happen.” PLAN/NJ provides guardianship and monitoring services for Robert, so Nadine knows Robert well, and she advocated for a community-based home and helped Robert to make the transition. Thanks to Community Options, a non-profit organization that provides residential and support services for individuals with disabilities, Robert was able to move into his current home with two of his closest friends, who were also residents at New Lisbon. He now has opportunities that he never had before and is relishing his newfound role as part of the Marlton community.

After moving, Robert started working at The Daily Planet in Moorestown, where he performs light janitorial work five days a week. He loves the ability to earn a paycheck. “The people are really nice, Robert explains. “I like being able to buy things that I enjoy like music CDs.” Robert also appreciates going out to lunch once a week with his colleagues. “For most of us the ability to choose where to eat lunch is not a momentous occasion, but to Robert this is an enormous accomplishment,” explains Nadine. “The ability to have a choice is personal independence and Robert is proud of this.”

Robert is very busy between work, daily walks around the neighborhood, frequent shopping trips and dinner engagements. He attends many events in Atlantic City, including a recent air show, and vacationed there with his roommates this summer. “Robert has a phenomenal memory and can recite facts about civil rights, music and movies,” Nadine adds. “He is now taking guitar lessons because he has such a love of music, and he is really enjoying learning a new talent.” Robert has many personal goals and he is well on his way to achieving them. When asked what he is currently working towards, he says, “To play ‘Come and Get It’ by the Beatles on guitar.”

# Grants, Contracts and Donations Spur Continued Growth at PLAN/NJ

## GRANTS

Thanks to continuous support from the following foundations, we are able to provide free education, consultations and direct services to families in need. Thank you to the **IOLTA Fund of the Bar of New Jersey** for supporting PLAN/NJ's clients with life planning, guardianship, and representative payee services. We are also grateful to the **New Jersey State Bar Foundation** (which funds this newsletter) and **The Westfield Service League**. Their support enables PLAN/NJ to provide free life planning seminars for families caring for individuals with disabilities throughout the state. **The Fred C. Rummel Foundation** has been a longstanding supporter of our organization, enabling us to provide guardianship, home visit monitoring and representative payee services for families without the means to pay for these essential services. PLAN/NJ recently received a grant from **The Karma**

**Foundation** to assist in the purchase of a company vehicle to transport clients.

## INDIVIDUAL SUPPORTERS

We are grateful for the following individuals who recently provided donations to PLAN/NJ:

Elizabeth Dahme  
(in honor of Katherine Mackay)  
Deron Siddons  
(in honor of Collin Siddons)  
Swartz & Co., LLC  
Constance Watkins  
Leonard D. Furman

## NEW PROGRAM: Family Support and Prevention Services

For the past six years Planned Lifetime Assistance Network of New Jersey (PLAN/NJ) has been providing individualized case management to families exiting the

New Jersey Division of Youth and Family Services (DYFS). The program — PLAN/MAPS (Monitoring, Advocacy and Prevention Services) — provides families caring for children with disabilities with the support and services they need to help prevent a return to DYFS. To date, PLAN/NJ has assisted 660 families in this program. Due to the program's success, the New Jersey Division of Children and Families recently provided PLAN/NJ with a contract to support families currently in DYFS. The Family Support and Prevention Services (FSP) program provides intensive case management and family support services to address issues impacting the immediate well-being of these families. Our goals are to work with families to resolve any concerns that may impact the health, welfare and safety of their children. We actively work with the families to provide resources, solve problems and provide advocacy in obtaining services that families need to live well.

## Advocate For Individuals With Disabilities Receives Presidential Accolades

Mark M., a future life planning client of Planned Lifetime Assistance Network of New Jersey, (PLAN/NJ), is more than a fountain of knowledge. He is a geysier. He can recite where he and his family vacationed since he was a toddler, where they stopped along the way and exactly what attractions they visited. He knows facts about science, how complex machines operate and astronomy. With such a strong love of knowledge and books, it is no surprise that his favorite store is Barnes and Noble. He also volunteers at the Ringwood Library cataloguing books. "Mark reserved so many books from the library that we lost track," explains his mom, Ruth. "He is now limited to six at a time."

Mark taught himself to read at a very young age. Diagnosed with autism and Asperger's Syndrome, he attended The Forum School in Northern New Jersey at a time when few schools were available for children with these disorders and very little information was known. Now 52, Mark lives with roommates in a group home within a short drive of his parents' house. He attends a day program at Bergen County Special Services – Paramus Rehab that he thoroughly enjoys. "He hates to miss a day," his mom adds. It is at



Mark M.

this program where Mark focused his efforts on educating individuals with disabilities about their right to vote in political elections. "Mark knew that

people with disabilities had a right to register to vote, but thought they might be misinformed or denied accommodations to do so," says Roberta Rana, RN, MSN, program nurse at Paramus Rehab. Ms. Rana, who spearheads the annual health fair, helped Mark create an educational poster for the event. Their poster also commemorated the 20th anniversary of the signing of the Americans With Disabilities Act and included signatures of all program attendees. Roberta was so impressed with his work that she mailed the poster to former President Bush. The program received a huge surprise when they received a letter from the former President acknowledging Mark's efforts, saying that "thoughtful gestures like yours, 20 years after signing the Americans With Disabilities Act, are icing on the cake." The icing on the cake for Mark was not only the fact that he received a letter from the former President but that he also learned that photos from their health fair were displayed at The George Bush Presidential Library in Texas.

"The health fair is such a wonderful undertaking and it has mushroomed over the past five years," explains Mark's mom. "More importantly, Mark is so proud of his memory."

# Guardianship: It's Not Simply for the Elderly

by Lori Wolf, Esq.

*PLAN/NJ values its longstanding relationships with attorneys, financial advisors and medical professionals. We often ask colleagues to contribute articles pertaining to the many facets of life planning. One of these crucial aspects is guardianship. Many families grapple with the topic of guardianship and have difficulty deciding whether limited guardianship or full guardianship is appropriate for their loved one. The article below outlines how to provide this valuable protection.*

**A**s your special needs child approaches the age of 18, it is very important to consider whether applying for guardianship is appropriate. If your loved one cannot make appropriate medical and financial decisions, you should petition the court to become the child's guardian. If your child is able to handle medical and financial decisions on his or her own, he or she should still sign a power of attorney and health care proxy at age 18 to allow you to assist with these matters as appropriate. Without guardianship, once a child attains the age of 18, a parent has no legal right to make decisions on behalf of his or her child.

In order to retain control of decisions related to the child, parents must be named guardian of the person and property of the child. In New Jersey, limited guardianships are also an option. This permits guardians to be named to assist a child where needed without taking full control away from the child. For

example, a limited guardianship could permit a child to obtain a driver's license, to retain control over a bank account with some set dollar amount or to make or participate in medical decisions.

Alternatively, a full guardianship gives complete control and total decision-making power over the child and his or her finances to a parent or other named individual. In New Jersey, judges will not build in successor guardians when naming guardians, so often families will name multiple individuals as guardians from the inception (such as both parents or both parents and an adult sibling together).

A guardianship action begins with the filing of a complaint with the court requesting that a guardian be named. Two affidavits must be submitted with the complaint. These must either come from two doctors or psychologists. The affidavits must be signed, and the child must have been seen by the doctor or doctors within 30 days of the filing. If the child with special needs is registered with the Division of Developmental Disabilities ("DDD"), an affidavit from DDD can replace one of the two above referenced affidavits, however as a result of recent cutbacks in government support, it is becoming increasingly difficult to obtain an affidavit from DDD.

A court-appointed attorney will be named to represent the child with special needs and advocate on his or her behalf. That attorney will review the medical records of the child, will meet with the child and the proposed guardian or

guardians, and will prepare a report of his or her opinion regarding the motion for guardianship. Some judges require the motion for a guardian to be heard in court, with the proposed guardian present, and others will respond on the papers with respect to the motion. Typically, unless there is a dispute over whether the guardianship is appropriate, the child will not need to appear at his or her own guardianship hearing.

The guardianship process from start to finish will take approximately two to four months, so the guardianship process should ideally be started several months before the child turns age 18 to ensure that there is no gap during which a guardian can act on behalf of the child. A guardian will not be named until the child reaches 18, however, so the action cannot be commenced too early or it will be rejected by the court.

Unfortunately, many parents do not initiate this process until there are extenuating circumstances (such as the need for urgent medical care or hospitalization). While the courts will appoint a temporary guardian on an expedited basis where an emergency exists, even the appointment of a temporary guardian can take several weeks.

If you have any questions regarding a guardianship action or other legal issues related to your child with special needs, please contact Lori Wolf, a Partner at Cole Schotz Meisel Forman & Leonard, P.A., (201) 525-6291 or [loriwolf@coleschotz.com](mailto:loriwolf@coleschotz.com).

## To Our Readers — A Call to Action

**O**ne of the reasons PLAN/NJ has been so successful in helping families with disabilities is our strong connections with parents, caregivers and professionals serving them who, like us, wish to see improved services for individuals with disabilities and mental health challenges. Last year *The Star-Ledger* printed an article bringing to light the frustration and struggle of families caring for the "dually diagnosed" — those with a developmental disability and a mental illness. Not only are these families working tirelessly to provide daily care for their loved ones because of their developmental disability, but they also toil with the unpredictable challenges. Sadly, there are few adequate services in New Jersey to help individuals with a dual diagnosis and even less when they are in a crisis.

Donna Icovino, mother of an adult son with a dual diagnosis, co-chaired a 100-member task force with the backing of Commissioner of Health and Human Services Jennifer Velez to draft recommendations and a plan to help those with dual disabilities. Three years later a detailed plan was created outlining a set of recommendations, including the building of a cost-effective crisis response system that

would decrease the draining of current emergency services, unnecessary inpatient hospitalizations and inappropriate admissions to state psychiatric hospitals and developmental centers, all with existing Medicaid dollars.

Recently, the New Jersey Department of Human Services completed the Comprehensive Medicaid Waiver Application, which was submitted to the US Department of Health and Human Services' Centers for Medicare and Medicaid Services. Ms. Icovino is working diligently to ensure the Waiver includes the recommendations of the Dual Diagnosis Task Force, including crisis care services for individuals with complex needs. Both professionals and families caring for individuals with a dual diagnosis are urged to read the Waiver and submit feedback to the Department of Human Services, The Division of Developmental Disabilities or directly to the Governor. Additional information about the Comprehensive Medicaid Waiver can be found at:

<http://www.state.nj.us/humanservices/dmahs/home/waiver.html>



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For more information about PLAN/NJ, to schedule a presentation for your group or for help with planning for your relative's future, call: (908) 575-8300.

## About PLAN/NJ



Planned Lifetime Assistance Network of New Jersey (PLAN/NJ) is a non-profit organization established by the ARC of New Jersey more than 22 years ago to help parents and caregivers plan for the future care of their children with disabilities and/or mental health challenges. Since that time, PLAN/NJ has grown tremendously, serving clients in all 21 counties in New Jersey. PLAN/NJ helps families of children with disabilities by providing the following services:

Guardianship

Advocacy

Case management/home-visit monitoring

Life care planning and education

Representative payee services for social security benefits

Special needs trust administration

Pooled special needs trust

If you would like more information about our services, please call (908) 575-8300.

***A Time to Give*** *Yes, I want to support  
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Help us to be here for the lifetime of our clients. Please print:*

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(amount will not be disclosed)

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