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with special needs ease
the uncertainty associated
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page 72

**LIEBMANN FAMILY LAW
HELPS FAMILIES OF CHILDREN
WITH SPECIAL NEEDS EASE THE
UNCERTAINTY ASSOCIATED
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LOVED ONES' FUTURE.**

special considerations

by **DEBRA WALLACE** photography by **JEFF ANDERSON**

Navigating the maze of a complicated legal issue is never easy, especially when the matter involves a member of the family. Sometimes all you can do is take a deep breath, make the first phone call to a trusted attorney, and hope for a favorable outcome.

When such a matter has to do with planning for the future of a family member with special needs, the stakes go up considerably. After all, parents of a son or daughter with special needs are effectively preparing for the day when they are no longer there to provide for children who, in many cases, are unable to provide for themselves. This daunting undertaking can be made much less stressful when the preparation is placed in the right hands—namely, a skilled and attentive attorney who is capable of leading a client through the process with knowledge and compassion.

Enter David J. Sowerbutts, a Bucks County attorney who has become the first and only call for many families seeking to ensure the financial security of their loved ones, including those with special needs. Sowerbutts has spent the past 11 years as a member of the legal team at Liebmann Family Law, though he has devoted nearly four decades of his life to helping clients contend with such delicate legal matters.

Sowerbutts cites the special needs trust as a vital vehicle for any family with a child of special needs. He describes a special needs trust as a legal entity based on a fidu-

ciary relationship between the settlor (the person who sets up the trust and seeds it with money or assets to fund the trust), and a beneficiary (the one who receives the money or assets in the trust). When setting up the trust, he must follow a precise set of rules in regard to how the money is to be spent on the beneficiary.

“A special needs trust enhances and improves the quality of life for a dependent, while preserving the vital needs-based government assistance programs,” he explains. “While government assistance helps provide basic needs such as food and housing, the funds in a special needs trust can be used for training, travel, education, entertainment, medical needs not covered by assistance, and a host of other uses.”

Along with other members of the legal team at his Newtown-based law firm, Sowerbutts wants those who need family legal services for a child or adult with physical,

cognitive, or other special needs to consider the true value of a special needs trust. Many parents choose to take a wait-and-see attitude, whereas they should put a plan in place sooner than later to account for the unexpected.

"It is my goal to lay out the process as straightforward as possible for my clients," he says. "I make everything as simple, clean, and easy for everyone to understand as possible. Creating the trust can be the difference between having money to greatly enhance a dependent's life or waiting until all of the money is depleted before starting or resuming public assistance."



Jeffrey A. Liebmann

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that concern people and businesses, including family law, real estate law, litigation, and estate planning and administration, such as wills and trusts. His vast background and experience enable him to bring related areas of the law together to help clients.

Estate planning and administration is a fine example, as it often intersects with issues related to family law. Regarding the special needs trust, also known as a supplemental

tablishing the trust properly is vital when a beneficiary has physical or cognitive conditions that make him or her eligible to receive government assistance, such as Medicaid or Supplemental Security Income, as these programs have certain eligibility requirements.

"If you have too much money, or assets, you will have to spend them down before the government will step in and help," he explains. "But the government has decided



Mindy J. Snyder



David J. Sowerbutts

Eager to Help

Sowerbutts credits his father, the vice president of a large chemical company, and his mother for instilling in him the desire to help others. He's now actively passing those lessons on to the next generation of his family—namely, his two adult sons, who he's confident will continue to make a positive difference in the world.

He focuses his practice on legal issues

needs trust, Sowerbutts makes the point that not every lawyer knows how to effectively set one up.

"These trusts tend to be highly technical, and the law in this area is highly specialized," he says. "I make sure that these trusts are set up to comply with the law, and provide the fullest benefits to the beneficiary."

Sowerbutts also explains that a special needs trust can be funded with the dependent's assets, such as an inheritance, or through a third party such as a parent or relative. Es-

it is permitted to have money set aside in a trust for the benefit of a beneficiary to supplement and enhance his or her quality of life, without reducing the government assistance."

Of course, Sowerbutts realizes that every family's situation is unique. His firm is happy to provide initial consultations at no charge. He welcomes anyone with questions about special needs trusts or other estate planning issues, among other legal matters, to get in touch and find out where to begin. ■



About Liebmann Family Law

Liebmann Family Law has been building on its considerable experience and knowledge in family law and other related legal matters for more than a decade. Led by Jeffrey A. Liebmann, the firm's legal team has extensive courtroom and litigation experience, as well as a background in complex property division issues, custody disputes, and support and alimony issues. The firm has represented a broad cross-section of the community, in all aspects of their family law issues, both in successful negotiations,

settlements and inside the courtroom, if necessary.

The firm's legal team—Liebmann and fellow attorneys David J. Sowerbutts and Mindy J. Snyder, aided by four legal assistants—takes pride in thoroughly explaining legal policies, procedures, and ramifications, every step of the way, and navigating positive outcomes. In fact, when needed, any one of the three attorneys can step in and handle a client emergency, as well as answer any questions that may arise throughout a case.