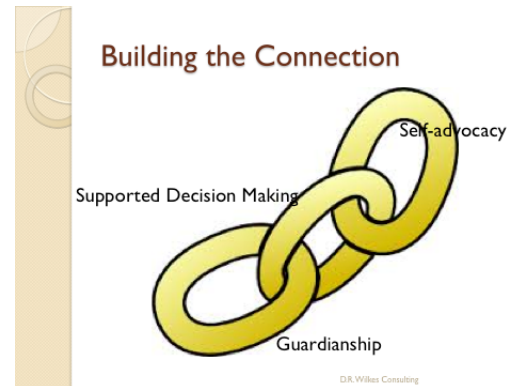


Guardianship and Alternatives

Debbie@drwilkesconsulting.com

- Explore alternatives to guardianship
- Consider assessments to determine which rights and powers need to be taken away
- Learn more about Supported Decision Making



Self-advocates

- Exercise their rights as citizens by communicating for and representing themselves
- Have a voice in decision-making in all areas of their daily lives and in public policy
- Participate in development of Individual Education/Vocation/ Habilitation Plans
- Set individual goals with plan of action and monitor plan

Defining Guardianship:

- —Incapacity determines guardianship of the person
 - Lacking the mental capacity to make good decisions and manage one's life
 - Varying degrees of capacity determined by the court based on written medical or psychological reports
- —Guardianship of the estate
 - Stocks, bonds, real estate, money in the bank
 - Does not include SSI or other federal benefits

Rights and Powers of Guardianship:

- Operate motor vehicle
- Where to work
- Vote
- Where to live
- Deal with government benefits
- Enlist in military
- Enter contracts
- Handle fund to specific amount of money
- Giving or withholding medical, psychiatric & dental treatment
- File lawsuits
- Defend claims and lawsuits
- Execute a Will or Power of Attorney
- Make gifts of property
- Consent to disclose personal information

Alternatives:

- Provide stakeholders with more information to make informed choices
- Consider autonomy as central factor (“*The person acts (a) according to his or her own preferences, interests, and/or abilities (b) independently, free from undue external influence or interference.*” (Wehmeyer & Field 2007))
- Recognize interdependence to support autonomy

Guardianship and Alternatives

Supported Decision Making:

- Supported Decision-Making Agreement
 - Establish an informal alternative where person could choose people to help make and communicate decisions
- National Guardianship Network Standard
 - Incorporation of supported decision-making components into existing system
 - Guardians engage in person centered planning to *“discover, understand and clearly describe the unique characteristics of the individual with the aim of ensuring that an individual is supported in a web of relationships, is valued for his or her contributions to the community and has control over his or her own life.”*

Person Centered Transition Assessment

- Use skills from Person Centered Thinking to improve transitional outcomes
- Teaches and encourages self-advocacy and decision making
- Assesses the student’s abilities, resources and needs
- Ascertain student and parent goal(s) so that school staff can support/facilitate the identified goals for work, living, playing and self-advocacy