



TRANSITION TO ADULthood

GET THE FACTS #1

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FACT

There are many options for decision-making supports as your loved one reaches age 18.

Most parents of young adults, with and without disabilities, are involved in their loved one's life in many ways. This can include providing emotional support, advice, financial support, and sometimes room and board. Some young adults with intellectual disability and/or autism may also need support around making decisions. This decision-making support role may involve some legal steps as the person with a disability reaches the age of majority (age 18), to make sure family members can support their loved one in making important life decisions.

What approach works best to aid decision-making is different for each individual and family. Some individuals can make decisions without formal legal supports. For those who do need support, various options can be tailored to the individual's needs. This makes it possible for the family members to provide assistance as needed, while still maximizing the independence of their loved one with a disability.

Decision-making supports can be tailored to specific life areas (such as health care or financial decisions) and to different levels of support that may be needed.

Figure 1 shows some of the options available here in Montana. For more information about these and other decision-making supports, see the Alternatives to Guardianship Toolkit at <http://transition.ruralinstitute.umt.edu/alternatives-to-guardianship/>.

Deciding what supports are needed should start with a discussion between the person with a disability and their family. Since it is easier to add more limits than to remove them, and since Montana law requires that less

Figure 1: Options for Decision-Making Supports

MORE
AUTONOMY



Supported decision-making

Advocacy forms

Online or bill payment service

Joint bank account

Power of attorney

Representative payee

Special Needs Trust

Healthcare or advance directive

Limited or temporary guardianship

Full Guardianship

LESS
AUTONOMY

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restrictive alternatives be explored before a guardianship can be approved, families will want to start with one of the options that offers more autonomy.

If you are unsure where to begin, it may help to talk to your family members, other families who are going through the same process, school personnel, your case manager from the Developmental Disabilities Program or counselor from Vocational Rehabilitation, or a lawyer with expertise in decision-making supports and guardianship.

Supported decision-making is a model for providing supports to adults with intellectual or developmental disabilities in their life decisions. In this approach, the individual keeps the ability (autonomy) to make decisions, while they receive assistance from a selected, trusted group of advisors to help them make these decisions. This arrangement, which can be formal or informal, is defined in a supported decision-making agreement. This approach may make use of other legal tools such as a health care proxy, power of attorney, and/or representative payee.

The Center for Public Representation offers supported decision-making resources, tools, and individual stories. Please visit supporteddecisions.org.

Resources for more information

Arc Position Statement on Autonomy, Decision-Making Supports, and Guardianship

www.thearc.org/who-we-are/position-statements/rights/Autonomy-Decision-Making-Supports-and-Guardianship

The Arc's Center for Future Planning

<https://futureplanning.thearc.org/>

PRACTICAL Tool for Lawyers: Steps in Supporting Decision-Making

https://www.americanbar.org/groups/law_aging/resources/guardianship_law_practice/practical_tool/

South Carolina Supported Decision-Making Project Stop, Look, and Listen resources

<http://scsupporteddecisionmaking.org/resources/>

Charting the LifeCourse Nexus: Supported Decision-Making

<http://www.lifecoursetools.com/lifecourse-library/exploring-the-life-domains/supported-decision-making/>

Montana Transition & Employment Projects: Alternatives to Guardianship

<http://transition.ruralinstitute.umt.edu/alternatives-to-guardianship/>

Skills and Strategies for Health Care Decision-Making with Children

https://scholarworks.umt.edu/ruralinst_early_childhood/8/



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