

# Guardianships for AAC Users?

CommunicationFIRST Zoom Webinar (Part 1)

July 13, 2021; 3:00-4:30 pm ET

## HANDOUT



## Frequently Used Terms

**Guardianship/Conservatorship:** The terms vary from state to state, but the idea is the same everywhere: the law allows a court to appoint someone else to make decisions for a person when the court believes the individual cannot make those choices for themselves. Sometimes this other person is called a guardian, and sometimes they are called a conservator. The decisions they are allowed to make can change from state to state, as well. In most states, this includes medical, financial, and personal decisions like where to live and with whom.

**Alternatives to Guardianship:** The group of legal tools and other supports people use to make decisions and direct their lives without a guardian or conservator. Some common alternatives are listed below.

**Power of Attorney (POA):** A legal document that an adult can voluntarily sign that gives another adult legal authority to act for them. This power is usually limited to a specific circumstance or task. The adult signing it can give as little or as much power as they want and take away that power to act at any time.

**Advance (Medical/Healthcare) Directive:** A specific legal document that gives one adult legal authority to act on medical decisions when the adult is unable to. This document describes what to do if a person is unable to make a decision and describes what decisions they would make for themselves, like what medications they agree to take and what type of medical treatments they are okay with.

**Supported Decision-Making (SDM):** The combination of arrangements, agreements, supports and services that help an adult make their own decisions. People use friends, family members, professionals, and other people they trust to understand the issues and choices, get information and explanations in a way they understand, and communicate their wishes to others.

**Augmentative and Alternative Communication (AAC):** AAC includes all of the ways we share information without speaking. Most people with and without speech disabilities use a combination of methods to communicate. This can include gestures, body language, facial expressions, and sign language. AAC can also include a tool or device, ranging from pen and paper, texting or pointing to letters, words, or pictures on a board to typing or selecting pictures/phrases on a computer screen that speaks for you. Many people for whom speech is not a reliable form of communication use one or more forms of AAC. People who use AAC may also use speech at times, with some communication partners, in some environments, or for some purposes.

## **Resources**

### **John McCarty Page on Supported Decision-Making and Guardianship Termination:**

<https://www.selfadvocacyinfo.org/resource/supported-decision-making-and-guardianship-termination/>

- John's YouTube channel:  
[https://www.youtube.com/channel/UCXPkGt\\_cyYyPPWFxWYB7NTQ](https://www.youtube.com/channel/UCXPkGt_cyYyPPWFxWYB7NTQ)
  - **Parent Perspective on Supported Decision-Making** (6:47):  
[https://www.youtube.com/watch?v=Fz\\_1a-7eeQs](https://www.youtube.com/watch?v=Fz_1a-7eeQs)
  - **Why Supported Decision-Making Matters and How to Get Started** (5:46):  
<https://www.youtube.com/watch?v=5iXwzr16ELU>
  - **The Process of Terminating Guardianship Using Supported Decision-Making** (6:18): <https://www.youtube.com/watch?v=PmWAZpItZ6Q>

### **National Resource Center on Supported Decision-Making:**

<http://supporteddecisionmaking.org/>

- Sample Agreements: <http://supporteddecisionmaking.org/legal-resource/supported-decision-making-model-agreements>
- Guardianship and Supported Decision-Making Laws by State: <http://supporteddecisionmaking.org/states>
- Supported Decision-Making Toolkit Compilation, including sample guides: <http://www.supporteddecisionmaking.org/resource-type/toolkit>

### **Center for Public Representation Supported Decision-Making:**

<https://supporteddecisions.org/>

- FAQs: <https://supporteddecisions.org/about-supported-decision-making/frequently-asked-questions/>
- Sample Agreements: <https://supporteddecisions.org/getting-started-with-supported-decision-making/sdm-agreement-form/>

- New Center for Youth Voice Youth Choice Project:  
<https://supporteddecisions.org/2021/05/21/center-on-youth-voice-youth-choice-announces-first-community-of-practice/>

**University of California, San Francisco’s Office of Developmental Primary Care Resources on Supported Healthcare Decision-Making:**

<https://odpc.ucsf.edu/advocacy/supported-health-care-decision-making>

- Guide for AAC Users: <https://odpc.ucsf.edu/advocacy/supported-health-care-decision-making/partners-in-health-implementing-supported-healthcare>

**Debunking the Myths of Supported Decision-Making and Guardianship, Q&A: Debunking the Myths of Supported Decision-Making and Guardianship, Q&A:**

<https://tinyurl.com/585z3j4>

**National Council on Disability Reports:**

- ***Beyond Guardianship (2018):***  
<https://ncd.gov/publications/2018/beyond-guardianship-toward-alternatives>
- ***Turning Rights Into Reality (2019):***  
<https://ncd.gov/publications/2019/turning-rights-into-reality>

**“Guardianship and the Potential of Supported Decision Making With Individuals with Disabilities,” by Jameson, Riesen, Polychronis, Trader, Mizner, Martinis, & Hoyle (2015) in *Research and Practice for Persons with Severe Disabilities:***

<http://montanayouthtransitions.org/wp-content/uploads/2014/10/Research-and-Practice-for-Persons-with-Severe-Disabilities-2015-Jameson-1540796915586189.pdf>

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