

GUARDIANSHIP & GUARDIANSHIP ALTERNATIVES DEFINED



Self-Determination

Self-determination is a combination of attitudes and abilities that lead you to set goals for yourself and to take the initiative to reach these goals. It is about being in charge, but is not necessarily the same thing as self-sufficiency or independence. Self-determination involves many attitudes and abilities including: self-awareness, assertiveness, creativity, pride, and problem-solving and self-advocacy skills. To take charge of your own life, you must be able to set goals, evaluate options, make choices, and then work to achieve your goals. Practicing self-determination also means you experience the consequences of making choices.

Since self-determination skills are best learned and developed by practicing them, young persons with disabilities should be given many opportunities to use their self-advocacy, decision-making, and socialization skills to prepare themselves for working and living in their community.*

Guardianship

Guardianship is a legal arrangement where a court gives a person the legal right to make decisions for another person who is unable to make or communicate safe or sound decisions for themselves.

Because establishing a guardianship may remove many rights from a person, it should only be considered after alternatives to guardianship have proven ineffective or are unavailable.

Guardianship Alternatives

Alternatives to guardianship are various tools that help a person and their support system manage their own affairs - both personal decisions, such as healthcare, and property and financial decisions.

Some of the guardianship alternatives available in New York State are:

- Supported Decision-Making
- (Durable) Power of Attorney
- SSI representative payee
- Healthcare Proxy
- Authorized Representation for Medicaid Benefits
- Joint or limited bank accounts
- Credit or bank cards with predetermined limits