

**SUPPORTED DECISION-MAKING
RESOURCE GUIDE**

**MY
CHOICE
KENTUCKY**



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What is Supported Decision-Making?

Supported Decision-Making (SDM) is the use of trusted friends, family members, and professionals to get the help we need to make our own decisions. This help can come in many forms including but not limited to, evaluating a situation, weighing pros and cons, exploring options, offering advice based on experience, and/or explaining complicated documents or concepts.

The decisions people need help with can be as simple as what to have for dinner or as hard as deciding where to live or what medication to take.



What is guardianship?

Guardianship is a legal tool that allows another person to make decisions for an adult who has been declared “legally disabled”. An adult is considered to be legally disabled after a court has ruled in a disability hearing that the person cannot take care of their personal needs or manage their finances.

Being under guardianship has significant implications for the legally disabled adult. While it may be necessary in order for the person to live life more safely, it also limits many of their civil rights.*

What is Conservator?

A conservator is a type of guardian who only manages the person’s finances. The court may appoint a conservator alone, or in combination with a limited guardian, to handle a legally disabled person’s financial affairs.*

*Adapted from “Guardianship and Alternatives to Guardianship in Kentucky”

For more information about guardianship in Kentucky:

- legislature.ky.gov

- kypa.net



1. Think about what decisions you want help with:

- Work
- School
- Where to live
- Being/getting healthy
- Relationships
- Community involvement

2. Are you making any of these decisions now? Are there more decisions you would like to make?

3. Who would you like on your team?

- Family
- Friends
- Support workers
- Professionals- doctors, attorneys, case managers, etc.

4. How often do you want your team to meet? What will be meetings look like?

- Monthly team meetings? Weekly team meetings?
Regular check-ins with team members?
- Dinner? Formal in-person meetings? Phone calls?
Online meetings? Texts?

5. What are your goals?

- Big goals
- Small goals
- You could use a vision board

Supported Decision-Making and Families

Families play an important role for a person using SDM. Even very young children can start practicing making decisions and experiencing the consequences. As the person ages, the decisions will have more importance and the consequences will be bigger. By the time the person becomes an adult, they will be better able to make decisions and know how and when to ask for help.

Parents of young children:

- Talk to children about the decisions that are being made for them.
- Allow the child to make small decisions as they are able to.
- Make sure the child understands the outcome of their choice.
- Make sure that the child's communication style is understood and respected by those around them.

Parents of school-age children:

- Involve children in educational decisions and related meetings.
- Make sure that the child's teachers and other school staff know that the child is to be a part of the decision-making process.
- Make sure education goals move the person toward larger life goals (like employment or independent living).
- Allow the child to make more of their own decisions as they age.



Supported Decision-Making and Families

Parents of transition-age children:

- As the child moves toward adulthood, make sure they understand the legal difference between being a child and being an adult
- Review goals with your child to make sure they have not changed.
- Evaluate options for guardianship and alternatives.
- Consider changes in SDM team members.

Siblings:

- As siblings age they can become a larger part of the SDM team.
- Siblings offer a different perspective than parents.
- Siblings can be great allies for each other and their opinions should be heard and respected.
- Some siblings will assume a larger caretaking role as parents age.



Support Decision-Making and Independent Living

Some people will have a goal of living independently or living outside of the family home. Several options for this exist and the SDM team can help weigh the options.

- The SDM team can help establish an emergency plan.
- The person can designate a member(s) of the team to contact with questions about bills and home maintenance.
- Technology aids can provide support without the need for 24 hour staffing.
 - Video doorbell
 - Medication dispensers
 - Cooking safeguards
 - Smart speakers
- Members of the team can offer suggestions for community engagement and community activities.
- Transportation options should be explored by the team to find the right combination to meet the person's wants and needs.



Supported Decision-Making at Work

The work a person does can become very much a part of their identity. In addition to income, work can provide opportunities for increased social interactions, improve critical thinking skills, and generally enhance the quality of a person's life.

- The SDM team can help the decision-maker think about employment options:
 - Explore career paths the person might not have considered.
 - Find and complete training needed to pursue a desired career path.
 - Consider the potential impact on benefits.
- Supported Employment Professionals can formally assist with job seeking skills and the employment search as well as provide supports in the workplace.
- Co-workers can become part of the SDM team by:
 - Providing natural supports.
 - Being an ally in the face of an unfair or prejudicial working environment.
 - Assisting with the development of new skills and assuming new responsibilities.



Supported Decision-Making within Guardianship

Some people will need a legal guardian. Even when this is necessary, SDM can and should be used to allow the person to have as much control over their own decision making as possible.

The National Guardianship Association states that:

“Whenever guardianship is necessary to assist a person, the guardianship must be limited, allow the maximum retention of individual rights, and be customized to the individual needs of the person under guardianship.”

Guardians can and should (according Kentucky law) help the person under guardianship develop skills that can lead to greater independence and, when appropriate, rights restoration.

For information on how to modify or terminate a guardianship visit the resources page at Kentucky Protection and Advocacy’s website: kypa.net



Resources & Information

Other alternatives to guardianship that can be used with SDM:

- Power of Attorney
- Healthcare Surrogate
- Social Security Representative Payee
- ABLE Account (STABLE Accounts in Kentucky)
- Special Needs Trust

For more information:

- My Choice Kentucky - mychoiceky.org
- Kentucky Protection and Advocacy - kypa.net
- National Resource Center for Supported Decision-Making - supporteddecisionmaking.org
- Commonwealth Council on Developmental Disabilities - ccdd.ky.gov
- Autistic Self Advocacy Network - autisticadvocacy.org
- Universal Design and Assistive Technology - hdi.uky.edu

Project Partners



Contact:

My Choice Kentucky can help you find information on Supported Decision-Making, connect you with people and organizations that may be able to help you, and answer your questions.

For more information, you can visit- mychoiceky.org or contact Laura Butler at laura.smith2@uky.edu or (859)218-5959.

