

Monthly tips and resources for young adults, their families, and supporters who are exploring options for life after high school in Indiana.

Making Life's Important Choices

Considering Supported Decision-Making, an Alternative to Guardianship

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When you turn 18, you become an adult. Legally, that means a few things. You can vote, sign a contract, enlist in the military, serve on a jury. But it also means you become *responsible* for making the big decisions in life—your health care, how you spend your money, where you live. Some teens look forward to taking that step into adulthood. For others, it can be a little overwhelming.

Good news! You have options. You can choose, for instance, to make decisions on your own without assistance. Or you can choose to have help from people you trust along the way. Whatever you decide, you should know that there are several options available to support individuals with disabilities when making those big life decisions.

You may have heard of something called **supported decision-making**. Your Individualized Education Program (IEP) team is required to discuss supported decision-making during your IEP meetings, particularly those related to your transition plan (what you'll do after high school and what steps you'll take to get there).

Supported decision-making is just one of several alternatives to **guardianship**. (See the document "Adult Guardianship in Indiana: The Basics," below.) Guardianship is a legal process granted by a court that gives someone else the authority to make decisions for a person with a disability. In Indiana, guardianship can be "full" or "limited," depending on how much decision-making power the guardian has. Guardianship can affect the person's right to choose where to live, work, receive medical care, marry, and more.

In this issue of *What's Next?*, you'll learn about supported decision-making and the available resources for you to explore as you make important decisions regarding your future.

What is supported decision-making?

Supported decision-making is an alternative to guardianship. It allows a person with a disability to keep their rights and make their own decisions with the help of people they trust. Those trusted people can include friends, family, and/or professionals who can help the person understand, make, and communicate their choices. Supported decision-making can be informal or formal, depending on whether there is a written agreement or not. Even with an agreement, the individual maintains final decision-making authority.

In July 2019, Indiana enacted a law creating the option for supported decision-making. Now, individuals with disabilities, their families, and IEP teams must talk about, consider, or even put in place a supported decision-making agreement and/or other less restrictive alternative before a court will consider or grant guardianship.

You are in charge

Supported decision-making means you are still in charge of your own life. You decide who will be involved in supporting you. Your supporters must also agree to provide guidance and support—not to make the decisions—unless you request them to do so. This can include decisions about finances, health care, education, employment, and housing.

When deciding on supported decision-making, Indiana legal experts strongly encourage you and your team to seek input from trusted individuals familiar with your needs and abilities. In addition, you should only give decision-making authority to someone trustworthy. That's because there have been cases when someone who has been given authority for a person with a disability has used that authority to take advantage of or exploit the person they are supposed to protect or support.

Creating a supported decision-making agreement

While not required, you and your team of trusted supporters can create a document that outlines how you will be supported. You can change **this supported decision-making agreement** at any time.

You will individualize your supported decision-making agreement to meet your needs. The agreement identifies decisions and the supporters you choose for each of those. Trusted people sign off on their commitment to support you in the designated decision-making area(s).

A supported decision-making agreement can help reassure physicians and other medical providers that you have the needed support for informed consent regarding your health care, even if you are using accommodations in the decision-making process. A court or attorney does not have to oversee a supported decision-making agreement.

To learn more about supported decision-making, see the resources below. In the next issue of What's Next?, we'll talk about other alternatives to guardianship.

Resources

- The Arc of Indiana: [Supported Decision Making Information](#)
- Indiana Disability Rights: [Options for Supporting Decision-Making & Independence](#)
- Indiana General Assembly: [Senate Bill 380](#)
- LifeCourse: [Guardianship and Alternatives](#)
- Indiana Disability Rights: [Sample SDM Documents](#)
- Indiana Disability Rights: [The Basics of Adult Guardianship in Indiana](#)

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