



# Guardianship is Not the Only Option:

Supporting Decisions in Adulthood



Center for Public  
Representation



Parent/Professional  
Advocacy League



# WELCOME

- **Presenters**
  - **Michael Degloria, Jr.**, navigating ADHD
  - **Keila Torres**, Conexiones Latinx-MA
  - **Meri Viano and Johana Rodriguez**, PPAL
  - **Morgan Whitlatch**, Center for Public Representation,

# Today's Topics

- **Supported Decision-Making (SDM)**
  - What, Why, and How?
- **Busting Myths about:**
  - Guardianship
  - Supported Decision-Making
- **Stories about SDM**
  - In Education
  - In Health Care
  - In Mental Health Care
  - In Foster Care
- **Common Tools Used Along with SDM**
- **Key Take Aways**
- **Resources**



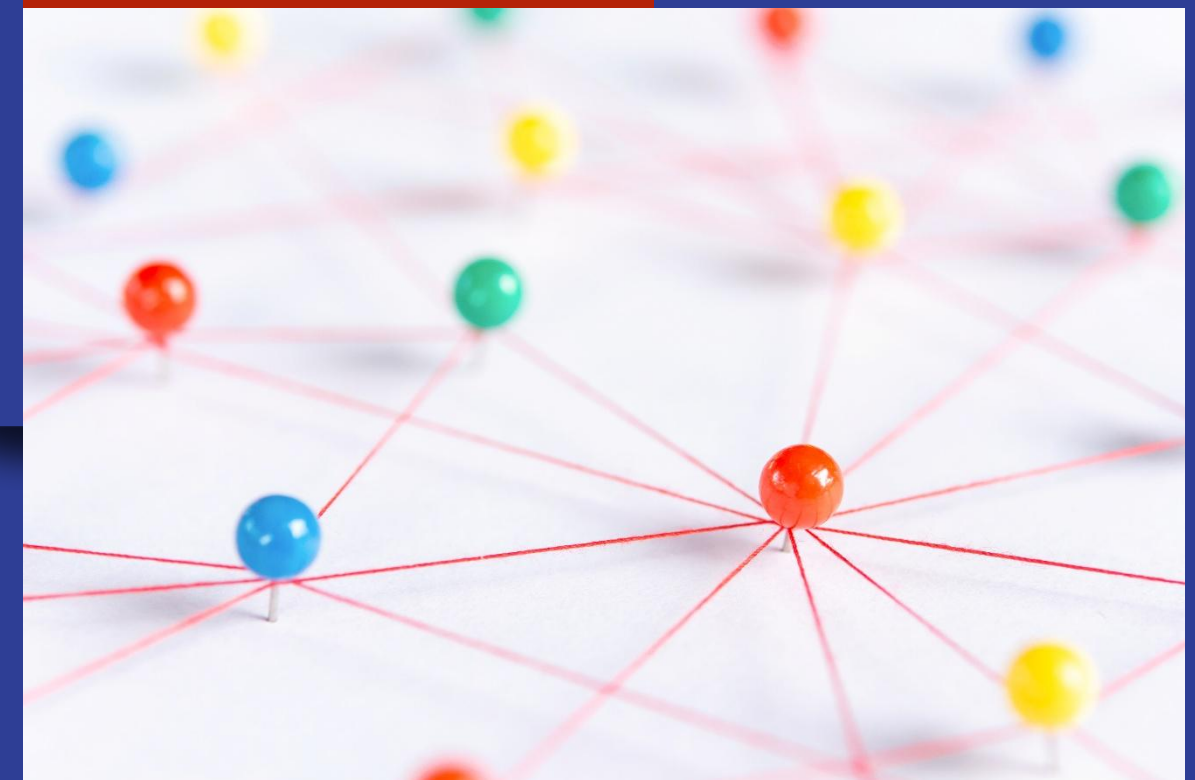
# Supported Decision-Making:

- A PARADIGM SHIFT



**Who are we?**

**What is our connection to *SDM*?**



# Mike



## Supported Decision-Making and Me

“Nature has given us two ears, two eyes, and but one tongue – to the end that we should hear and see more than we speak” – Socrates

# Johana



- **Advocate for Rights:** As a parent to parent, speak up for your child's rights using bilingual tools and cultural helpers who understand your family's background.
- **Build Strong Bonds:** Talk openly using your culture's stories, traditions, and language to grow trust and prepare them for big choices.
- **Guide Through Services:** Help navigate health care, mental health, home care, money, and housing supports that respect our cultural values and communities.
- **Plan Safely Ahead:** Keep our youth safe while encouraging Supported Decision-Making, blending our family's cultural ways of support into adulthood planning.

"I am an everyday parent of children with special needs who advocate fiercely with cultural pride and balance. I fight through school systems to protect our children's safety, secure their future, and teach independence with Supported Decision-Making, carrying our family's unbreakable spirit forward, no matter what."



# Keila

- Advocate for my child's rights, voice, and dignity
- Balance emotional support with legal responsibility
- Navigate systems: education, healthcare, and services
- Protect safety, plan for the future, encourage independence with Supported Decision-Making
- Carry both love and accountability every day

“A mother who is both a supporter and guardian walks a dual path – nurturing with love while making critical decisions to protect, empower, and secure her child's future.”

# Meri

- Advocate for all individuals' rights– equity.
- Balance relationship with the child and enhancing communication.
- Navigate systems: healthcare, mental health, homecare support , and finance/housing support.
- Protect safety, plan for the future, encourage independence with Supported Decision–Making
- Carry curiosity, learning and teaching daily

**“Every individual has the right to choose who walks beside them. Family involvement is not something systems get to control. When we elevate self-advocacy and family advocacy we strengthen the whole journey. Because advocacy, empowerment, and self-direction are not solo acts — they’re a family business.”**



# Morgan



- Lawyer, Advocate, Ally
- Part of the Center for Representation, which has been advancing the civil rights of people with disabilities for almost 50 years
- Dedicated to educating people with disabilities and their families about all the options for supporting decision-making into adulthood, so that they can find the right fit.

- <https://www.centerforpublicrep.org/>
- <https://supporteddecisions.org>

# Main Legal Tools for Decision-Making in Massachusetts

- Supported Decision-Making
- Shared Educational Decision-Making Authority
- Health Care Proxy
- Durable Power of Attorney
- Delegation of Educational Decision-Making Authority
- Representative Payee
- Court-appointed Guardian or Conservator
  - Temporary Guardianship
  - Limited Guardianship
  - Conservatorship
  - Guardianship
  - Rogers Guardianship



# What is Guardianship for Adults?

- **Different** than guardianship of a **child**
- A **formal legal process** where a **court** decides an adult is **“incapacitated”** and that someone else (a **“guardian”**) needs to be **appointed** to make all or some decisions for them.
- **Guardianship = Court**
- **Different kinds** in Massachusetts
  - Temporary
  - Limited Guardianship
  - Conservatorship
  - Guardianship
  - Rogers



# What does “Incapacitated” Mean in Massachusetts?

The law defines an “incapacitated person” as an individual who:

- For reasons other than advanced age or minority
- Has a clinically diagnosed condition
- That results in the inability to receive and evaluate information or make or communicate decisions
- To such an extent that the individual lacks the ability to meet essential requirements for physical health, safety, or self care
- Even with appropriate technological assistance
  - Mass. Gen. Laws c. 190B § 5-101(9).

**HOWEVER – Capacity is:**

NOT “All or nothing” or based solely on diagnosis

# What is Guardianship NOT?

- Guardianship is NOT the **only option** to consider
- Guardianship is NOT just a **piece of paper**
- Guardianship is NOT **all powerful**
- Guardianship is NOT a **guarantee of safety**
- Guardianship is NOT **without downsides**



# What is Supported Decision-Making?



- People – including people with disabilities – make their **own decisions, with the help of others they pick and trust.**
- Supporters provide **guidance and assistance.**
- The **person keeps their legal rights.**
- The person **builds decision-making skills** over time and learns from mistakes.
- It can be **formal or informal.**
- It is **flexible** and can change over time.

# What is Supported Decision-Making NOT?

- It is NOT someone else making decisions for – and instead – of the person.
- It is NOT the person making decisions alone, without any help.
- It is NOT the person making decisions only if the supporters agree.
- It is NOT “one size fits all.”
- It is NOT only for people with certain kinds of disabilities



# Common Questions about Supported Decision-Making

- Is it new?
- Who can use it?
- How is different from:
  - Shared decision-making?
  - Substitute or surrogate decision-making?
- Is it legal?
- Is it safe?



# 5 SUPPORTED DECISION-MAKING STEPS

Start the  
Conversation

Identify trusted  
supporters who  
are willing and  
able to help.

Plan and  
communicate.

Consider writing  
an SDM  
agreement.

Share the agreement  
with people who  
need to know, like  
doctors, schools, and  
service providers.

# Mike - Stories about Supported Decision-Making



Education &  
Peer Supports

# Keila - Stories about Supported Decision-Making

## Health Care





# **Johana - Stories about Supported Decision-Making**

## **Finances Journey of Mental Health**

- Supporting choice
- Elevating opportunity to make mistakes
- Supportive opportunities of learning

# Meri - Stories about Supported Decision-Making

## Journey in Mental Health

- Overnight change
- Create conversation early.... Get your child/loved one in the passenger seat sooner vs later
- Open dialogue and use motivational interviewing to have teaching, open communication with being involved as an adult.
- Respect that "Systems" often push family out of the care as soon as the young person turns 18.



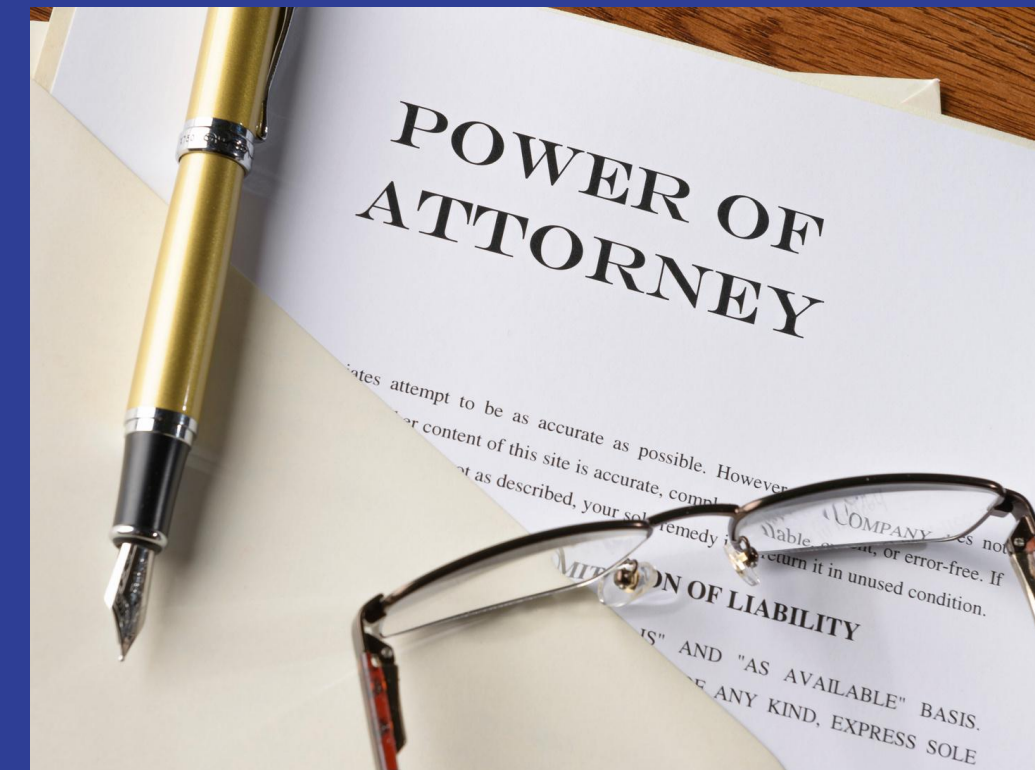


# Morgan - Stories about Supported Decision-Making

- Other Options in Education
  - Shared Educational Decision-Making
  - Delegated Educational Decision-Making

# Common Tools to Use Along with Supported Decision-Making

- Release of Information Forms
- Supported Decision-Making Agreements
- Health Care Proxy
- Durable Powers of Attorney



# Key Takeaways

## Supported Decision-Making:

- Recognizes the individual as the primary decision-maker
- Uses trusted supporters to understand options
- Promotes autonomy, dignity, and person-centered care
- Helps explain diagnoses, treatments, and risks in accessible ways
- Encourages collaboration between person, family, and providers
- Supports informed consent and shared responsibility



# Resources (1 of 3)

- <https://supporteddecisions.org>
- <https://www.wearemass.org/supported-decision-making>
- <https://www.conexioneslatinx-ma.org>
- <https://www.dlc-ma.org>



# Resources (2 of 3)

## Handouts:

- 1. PowerPoint Slide Deck**
  - Emailed after the session
- 2. Key Words to Know in Massachusetts**
  - <https://tinyurl.com/mesnredb>
- 3. Learn about Guardianship**
  - <https://tinyurl.com/r2wvux5t>
- 4. Learn about Supported Decision-Making**
  - <https://tinyurl.com/mpcessea>
- 5. Q&A about SDM for Parents, Family Members, and Supporters in Massachusetts**
  - <https://tinyurl.com/2zmuyhsr>



# Resources (3 of 3)

## Handouts (continued):

### **6. Getting Started with SDM in Massachusetts**

- <https://tinyurl.com/yut7p4ep>

### **7. Resources and Forms for Massachusetts Residents**

- <https://tinyurl.com/5n7f7f37>

### **8. Sample SDM Agreement Form and Instructions for Massachusetts Residents**

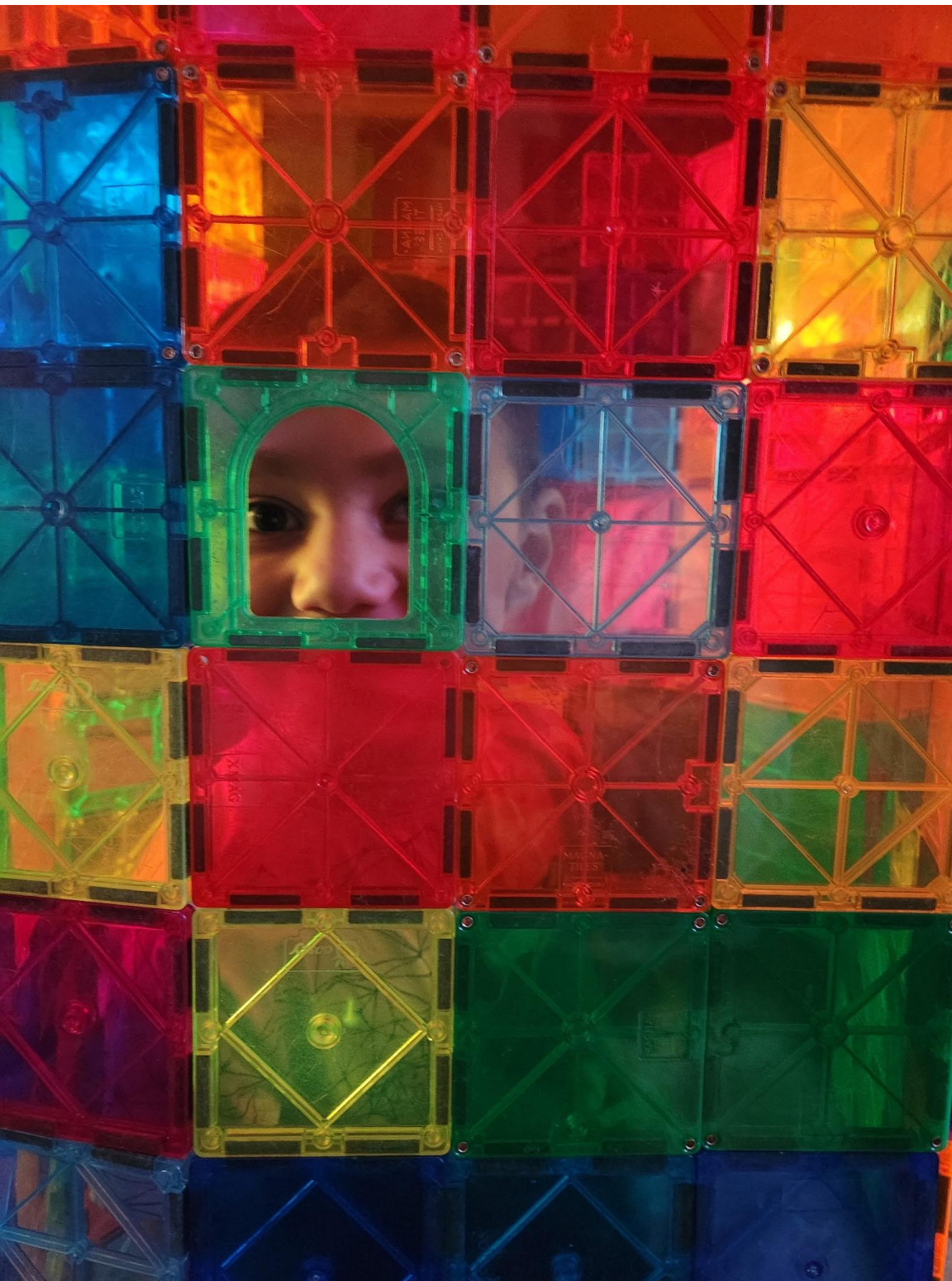
- <https://tinyurl.com/4h8n6rcb>



# Questions Now or Later

- **Conexiones Latinx–MA**
  - Keila Torres, 413–419–8008, [keila.torres@conexioneslatinxma.org](mailto:keila.torres@conexioneslatinxma.org)
- **Center for Public Representation**
  - Morgan Whitlatch
  - 413–586–6024, [SDM@cpr-ma.org](mailto:SDM@cpr-ma.org)
- **Parent Professional Advocacy League (PPAL)**
  - 866–815–8122, [info@ppal.net](mailto:info@ppal.net) , [jrodriguez@ppal.net](mailto:jrodriguez@ppal.net)
- **Michael Degloria, Jr.**, [mdegloriajr@gmail.com](mailto:mdegloriajr@gmail.com)





It is your  
PERSPECTIVE  
OF  
Opportunity



Advocacy is a family business... never give up!

# Closing and Thank you

Believe in the power of independence and the freedom to choose. When we explore opportunities—like supported decision-making as a pathway to true inclusion—alongside supportive team members, families, and friends, and demand better, we create a world where every child and adult can live with dignity, inclusion, and a genuine quality of life.

--- Meri Viano