Vermont Family Network

facts

Supported Decision Making is when a person with a disability exercises their right to make decisions for themselves, while accessing a support network of their choosing.

Supported Decision Making: A Guide for Families and Supporters

Once a person turns 18, they are a legal adult, and they become responsible for their own financial, medical and legal decisions. As a youth with a disability approaches 18, they and their families are encouraged to explore their ability to make their own decisions and develop a long-term plan that is right for them. People with intellectual disabilities, mental health disorders or other challenges may need varying levels of support to make safe and reasonable decisions as they go through life. At the same time, it is important to preserve as much of their independence as possible.

For some, the option of guardianship is a good fit, but for many, there are other models that are less restrictive which may be more appropriate, such as Supported Decision Making (SDM).

What is SDM?

Supported Decision Making (SDM) is a way for people with disabilities to get help in making decisions. A person with a disability selects trusted family members, friends, community members and/or service providers to serve as supporters. However, the person with a disability is still the ultimate legal decision maker. Many individuals can reach their maximum potential and live independent lives by using the SDM model and working with a team of trusted people who can provide support and input about life decisions.

The process is designed to be flexible and can change based on the needs of the person.

The SDM model does not require paying a lawyer or going to court. To start the process, a young adult and their family should consider the following questions:

1. What types of support does the person need to make the best decisions for themselves?
2. Who are the trusted people in their life who might be able to provide that support?

What is the role of a supporter?
A supporter helps someone to understand the options, pros and cons of a decision, but they do not make the decision for them. Supporters should be able to commit to serving in this role for at least one year, which allows for time to learn what a person's needs are, and the best way to support those needs.

Writing a Supported Decision Making Plan
After a support team is identified, the team should meet and sign a Supported Decision Making Agreement. This is not a legally-binding document, it is a structured way for a person with a disability to identify their supporters and the places where they need support. It is important to be specific about each team member's roles and areas of support and how the process will work. The agreement should include information about the type and amount of support needed, how often the team will meet, and the ways the team will communicate. The individual being supported is always able to change their mind, change their supporters and change the terms of the agreement.

What are some examples of support that can be included in a Supported Decision Making Plan?
Support can be provided in many different areas of decision-making, such as personal care; choosing where to live and work; relationships and sexuality; health care; communication; and finances.

The National Resource Center for Supported Decision Making has a template for creating a SDM plan.

Health Care Proxy
As a companion to your SDM agreement, you may want to consider a Health Care Proxy. A health care proxy is someone you choose to make health care decisions for you if something happens to you and you cannot make decisions for yourself. To choose your health care proxy, you fill out a form where you write the name of who you pick as your health care proxy. Then, if something happens and you cannot make your own decisions, your health care proxy can temporarily make the decisions for you. A health care proxy is like a backup plan in case something happens, and you are unable to make decisions for yourself.

Health care proxies are for everyone - not just people with disabilities or people using SDM. Most people who do SDM choose one of their supporters as their health care proxy. A great resource for health care forms is the Vermont Ethics Network.

Vermont Resources:
Green Mountain Self-Advocates

Office of Public Guardian

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Vermont Legal Aid Disability Law Project

Vermont Ethics Network

National Resources:
National Disability Rights Network

National Resource Center for Supported Decision Making

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