

Am I legally liable for the person's choices?

No. You are not making the choices. You are helping this person make his or her own choices.

You will be asked to sign a document agreeing to support the person to the best of your ability and in good faith. This does not create legal liability for any choices the person makes.

Just like anyone else, you remain responsible for your *own* illegal acts, including fraud, abuse, or exploitation.



Do I have to be a supporter forever?

No. You can stop at any time. But you should only agree to be a supporter if you expect to be able to support this person for at least a year. It takes a while to get into the swing of supported decision-making, so you want to have enough time to learn about it and really try it out.

Where Can I Learn More About Supported Decision-Making?



ACLU Disability Rights Program

www.aclu.org/issues/disability-rights/supported-decision-making

415-343-0781
smizner@aclu.org



National Resource Center
for Supported Decision-Making

www.supporteddecisionmaking.org

What is Supported Decision-Making and What Does a Supporter Do?



A Guide To Supporting
a Person With a Disability
Using Supported Decision-Making



I've been asked to be a "supporter" in a "supported decision-making agreement."

What does this mean?

Supported Decision-Making is a way for people with disabilities to get help in making their own choices. Unlike in conservatorship or guardianship, the person with a disability is still the ultimate decider. The person with a disability selects trusted family, friends, or staff to serve as supporters.

You have a choice about whether or not to be a supporter. You were asked to do this because the person with a disability trusts you and wants your help. But if you don't have time or don't want to be a supporter, you should say no.

If you do choose to be a supporter, you should talk with the person with a disability to learn more about what kind of support they want. They might want you to help in only some areas but not others. There are many kinds of support to help the person understand, make, and communicate choices.

You will probably be part of a team of supporters. You should ask the person with a disability who else is supporting them, and ask if you can meet the other supporters.

What does a supporter do?

Help, support, and advise the person with a disability. There are many ways that you might support a person.

Some examples of support are:

Information

- Providing **accessible information**, including plain language materials or spoken explanations
- **Researching** available choices
- **Explaining** and brainstorming options
- **Classes** to help the person learn about healthy decision-making and self-advocacy

Reminders and Logistics

- **Reminders** of important dates, appointments, and schedules
- **Organizing visits** and meetings to try out different options
- **Attending appointments** or meetings with the person with disabilities
- **Arranging transportation** for appointments

Advice

- Help in making **lists of pros and cons**
- **Advising** the person about her choice
- Reminding the person with disabilities about **her values and preferences**, and discussing how these values connect with the choices

Communication

- Making sure the person has **plenty of time** to think and talk about her choices
- **Helping the person communicate** her choice, making sure the choice is understood, recognized, and respected

The supporter is not making choices for the person with a disability, even if you think the person isn't making the best choice. People learn by making bad choices. They are safer and more protected if they can make their own choices. It is important to respect this.

If you think you would want to substitute your judgment, you should not be a supporter.



Is this the same as becoming a guardian or conservator?

No. Only a judge can appoint a guardian or conservator, and the guardian or conservator makes choices for a person with a disability.

Being a supporter means helping the person with a disability understand, make, and communicate his or her own choices.