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Austin, Texas 78702

April 2014

Dear Advocates:

Imagine having your freedom to make decisions about where you live, who you associate with, and your right to decide on medical treatments taken away, as well as, your right to vote or get married. This happens when someone is under guardianship. Because guardianships in Texas are increasing, stakeholders came together in June 2013 to propose policy reforms and less restrictive alternatives. The Guardianship Reform and Supported Decision-Making Group (GRSDM) has individuals and advocacy groups from aging, physical and developmental disability, mental health, family, and attorneys practicing in disability and elder law.

The GRSDM has developed seven policy proposals that support self-determination and provide the person with the supports and services they need to direct and make decisions about their own life:

- **Change Term from “Ward” to “Person”** would change the impersonal term “ward” to “person under guardianship.”
- **Bill of Rights for Wards and Proposed Wards** lists rights that individuals under guardianship get to keep, such as the right to live, work and play in the most integrated setting, visit with people of their choice, and appear before the court to express their preferences or concerns. Rights for a proposed ward include the right to petition the court and due process.
- **Supported Decision-Making Agreement** would establish an informal alternative to guardianship where individuals could choose people they trust to help them understand the decisions they need to make and to communicate their decisions to others.
- **Alternatives to Guardianship** lists less restrictive alternatives to guardianship, such as a power of attorney or representative payee and directs the court to determine whether alternatives could meet the needs of the person rather than guardianship.
- **Duties of Guardians** would improve protections for individuals committed to institutional settings. This proposal calls for guardians to visit an institutionalized person every month and provide timely responses to calls, emails or letters about the person.
- **Limits of Guardianship with Services and Supports** requires the court to determine if formal and informal supports are in place or available that enable individuals to meet their needs for food, clothing, or shelter, care for their physical or mental health, manage financial affairs and/or make decisions so that guardianship may be averted or limited.
- **Guardianship and Decisions about Residence** states individuals under guardianship should, if possible, be able to make decisions about where they reside.