

Exploring Supported Decision Making

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VIRGINIA BOARD FOR PEOPLE WITH DISABILITIES, 1100 BANK STREET, 7TH FLOOR, RICHMOND, VA 23219, (800) 846-4464, OR VISIT THE BOARD'S [WEBSITE](#).



Overview

- ▶ Basics Supported Decision Making
 - ▶ What is SDM?
 - ▶ Usage with other supports
 - ▶ Why do it?
- ▶ The “What Ifs”
- ▶ Putting SDM into action
- ▶ Examples of SDM in practice
- ▶ SDM Resources



What is Supported Decision Making?

- ▶ At its most basic, Supported Decision Making is having people you trust to help you make decisions
- ▶ Part of our culture for everyone
- ▶ Can be formal or informal



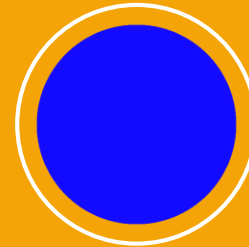
The Spectrum of Decision Making Supports



No defined needs or supports



Power of Attorney and/or formal SDM agreement, Rep Payee or Trust



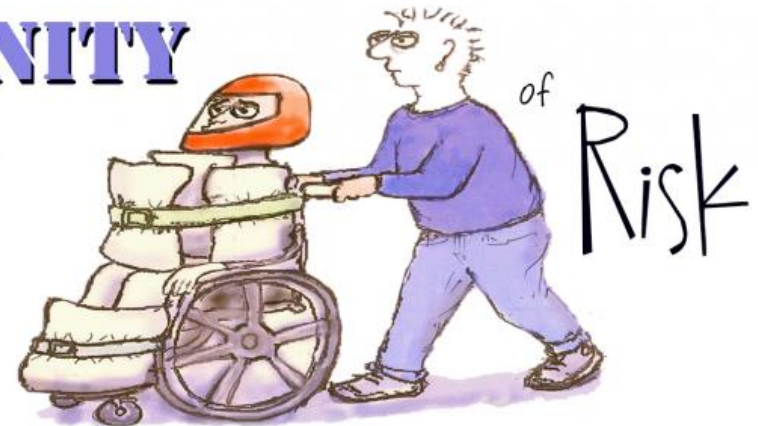
Limited or full guardianship or conservatorship

Supported Decision Making can be Used

Why Should You Consider SDM?

- ▶ Self-determination studies on safety and quality of life
- ▶ Increasing independence
- ▶ Dignity of Risk and learning from mistakes
- ▶ Preservation of Rights
- ▶ Minimal to no cost

DIGNITY



Why Should You Consider SDM?

- ▶ Can be implemented immediately and changed as needed
- ▶ Growing a culture of support network and reducing reliance on one person
- ▶ Virginia law, National Guardianship Association, and best practices all emphasize the least restrictive options being fully explored before other options are pursued
- ▶ Virginia is considering additional SDM legislation

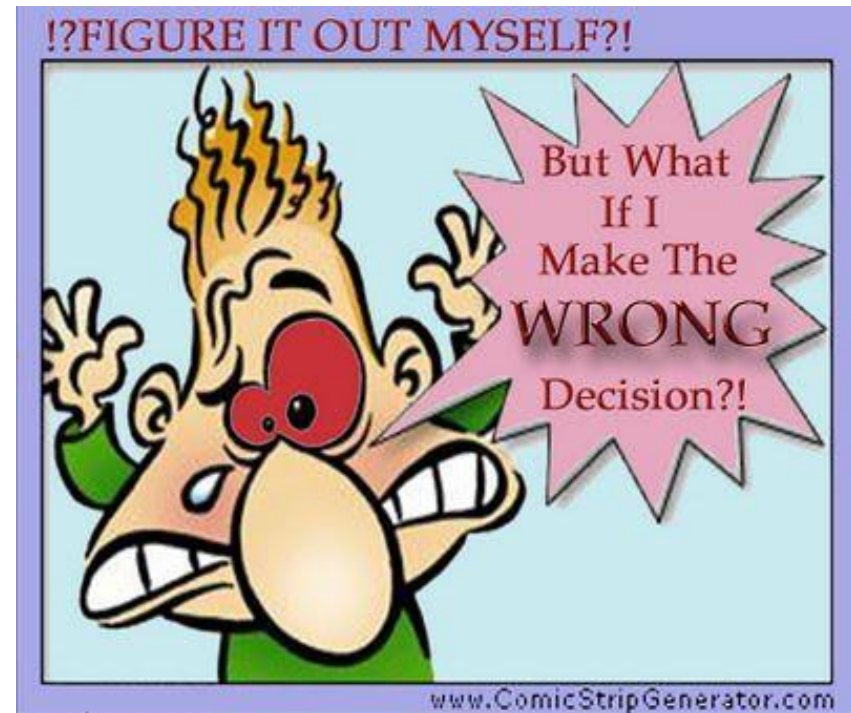


National Guardianship Association Statement on SDM

- ▶ Guardianship should be utilized only when lesser restrictive supports are not available. Alternatives to guardianship, including supported decision making, should always be identified and considered whenever possible prior to the commencement of guardianship proceedings.
- ▶ Under all circumstances, efforts should be made to encourage every person under guardianship to exercise his/her individual rights retained and participate, to the maximum extent of the person's abilities, in all decisions that affect him or her, to act on his or her own behalf in all matters in which the person is able to do so, and to develop or regain his or her own capacity to the maximum extent possible.
- ▶ Supported decision making should be considered for the person before guardianship, and the supported decision-making process should be incorporated as a part of the guardianship if guardianship is necessary.

Getting Started with SDM

- ▶ Setting the Wheels in Motion
- ▶ Brainstorming sheet
- ▶ When Do I Want Support
- ▶ Determining Supporters
 - ▶ Paid and unpaid
 - ▶ Use as a lens when you meet new people



What if Something Bad Happens????

- ▶ We are all vulnerable
- ▶ No studies have show guardianship increases safety, but studies do show self-determination does
- ▶ SDM utilizes and builds on strengths of the individual and their team
- ▶ We all learn to make better decisions by making mistakes
- ▶ Most people make some bad choices everyday, and that is okay



“Would you please elaborate on ‘then something bad happened’?”

Putting SDM into Action

- ▶ Read about it and get some ideas onto paper (see resource section at the end of this presentation)
- ▶ Talk to your supporters and plan to communicate regularly
- ▶ If you want to use legal tools (e.g., POA), then put them into place
- ▶ Keep evaluating over time



SDM in Practice: Example 1

- ▶ Maine guardianship story, September 2019
- ▶ The petition for termination of guardianship was filed in May 2018. It took the judge a month to grant it. The order included a brief note: “Joshua Strong is utilizing supported decision-making and is therefore no longer incapacitated.”

SDM in Practice: Example 2

- ▶ Lessons learned in meetings
 - ▶ “I don’t want her to help me.”
 - ▶ “My goal is to be as independent as possible, to have a voice in all things, to make sure my parents are okay as they age.”
 - ▶ “I don’t want my parents to come.”
 - ▶ “I was told we had to be guardians, and we had to get the speech therapist come in to protect her right to vote.”



SDM in Practice: Example 3

- ▶ Dream Inspired Planning
 - ▶ “X really loves baking Disney villain cookies”
 - ▶ “I want to take care of animals”
 - ▶ “I want to change the law”
 - ▶ “I want to be famous”



SDM Resources

- ▶ The Arc of Northern Virginia
 - ▶ <https://thearcofnova.org/programs-services/sdm>
- ▶ National Resource Center for Supported Decision Making
 - ▶ <http://supporteddecisionmaking.org/>
- ▶ Center for Public Representation
 - ▶ <https://supporteddecisions.org/>
- ▶ disAbility Law Center of Virginia
 - ▶ <https://www.dlcva.org/>