

Supported Decision Making

O.C.G.A. 29-4-1(f): All guardianships ordered pursuant to this chapter shall be designed to encourage the development of maximum self-reliance and independence in the adult and *shall be ordered only to the extent necessitated by the adult's actual*

and adaptive limitations after a determination that less restrictive alternatives to the guardianship are not available or appropriate.

Supported decision making is a practice of developing decision-making skills with the support of a team of trusted individuals (referred to as “supporters”) to assist a person in collecting information, processing information, and coming to an informed decision. Supported decision making is an alternative to guardianship in that it provides a trusted and formalized environment for people who are seeking assistance with decision making while still promoting self-determination. In contrast to guardianship, supported decision making is flexible and can change with the needs of the person to provide more opportunities for independence and autonomy.

Key Principles in Supported Decision Making

1. The person with a disability is the ultimate decision maker.
2. The person with a disability is helped to identify the areas of his or her life where he or she needs assistance with making decisions.
3. The person with a disability decides whom he or she wants to help him or her make decisions. It does not have to be the same person for every decision.
4. The supporter’s fundamental task is to strengthen the voice and role of the person as the key decision maker in their life.
5. The supporter’s role is to pursue less restrictive alternatives to guardianship, thereby preserving the person’s autonomy in respect to decision making.
6. The supporter’s role is to strengthen the person’s capabilities with decision making and managing the processes associated with a particular task.
7. The supporter’s role is to assist the person to better appreciate and act on the full scope of their life potential.
8. The supporter’s role is to help the person to define their own interests and priorities without acting to promote the agendas and influence of others.
9. The supporter’s role is to earn and deserve the trust of the person being supported and to not betray that trust.
10. The supporter’s role is to support the person to develop an enhanced degree of autonomy and self-sufficiency in their decision making.

Supported Decision Making in Other States

- Texas DD Council: <http://www.tcdd.texas.gov/resources/guardianship-alternatives/supported-decision-making/>
- Delaware DD Council: Supporteddecisionmaking.org/sites/default/files/sdm-cop-2016-delaware.pdf

Additional Resources

- National Resource Center for Supported Decision-Making (Examples of Supported Decision-Making agreements available): www.supporteddecisionmaking.org
- American Bar Association Endorsement of Supported Decision Making
https://www.americanbar.org/groups/law_aging/publications/bifocal/vol_38/issue-6--august-2017/-aba-urges-supported-decision-making-as-less-restrictive-alternat.html