



TRANSITION RESOURCE SHEET: GUARDIANSHIP

Guardianship Guides

Autism Consortium Transitioning to Adulthood Manual

→ Guardianship: pages 12-19

A clear and comprehensive guide which provides an overview of guardianship, explains alternatives to full or limited guardianship, and lists the procedures and processes to follow to obtain guardianship.

Website: https://www.bmc.org/sites/default/files/Patient_Care/Specialty_Care/AutismConsortiumTransitiontoAdulthoodManual.pdf

Exceptional Lives Guardianship Guide

An interactive guide that can help you make decisions about whether full guardianship, limited guardianship, or an alternative is right for your family.

Website: <http://exceptionallives.org/guardianship-guide>

Contacts for Legal Assistance Regarding Guardianship

Disability Law Center

Provides legal advocacy on disability issues that promote the fundamental right of all people with disabilities to participate fully and equally in the social and economic life in Massachusetts.

Phone: (617) 723-8455 | Website: www.dlc-ma.org

Eastern Regional Legal Intake (ERLI) Helpline

Hotline providing residents of the Greater Boston area with free legal information and referrals.

Phone: (617) 603-1700 | Website: www.vlpnet.org/need-legal-help/

Legal Resource Finder

A database of legal services and information to help individuals find legal help.

Website: www.masslegalservices.org/findlegalaid

MLPB

A network of lawyers that work with medical professionals to provide free legal information/assistance to patients at participating health care institutions, including BMC. MLPB can also connect patients with pro-bono attorneys. Contact your provider for a referral.

Website: www.mlpboston.org

The following **Probate & Family Courthouses** offer free legal clinics on guardianship to families who qualify. Lawyers and law students can assist with completing, reviewing, and submitting applications for guardianship. Families should have all supplemental paperwork (assessments, medical reports, etc.) completed before attending the clinic and should bring these with them to the courthouse.

- **Suffolk County Probate & Family Court in Boston**

Tuesdays from 9 a.m. to 1 p.m. on the 2nd Floor of the Brooke Courthouse in the Court Services department.

- **Middlesex County Probate & Family Court in Cambridge**

Thursdays from 10 a.m. to 1 p.m. on the 2nd Floor of the Courthouse in East Cambridge.

- **Brockton District Court (Plymouth County)**

Contact Pilgrim Advocates at 508-583-6966 or the clerk's office at 508-587-8000 for the clinic schedule.

Other courthouses offer assistance through a **Court Services** or **Lawyer of the Day** program – for more information, contact your county's Probate Court clerk or visit: www.mass.gov/service-details/lawyer-for-the-day-programs or www.mass.gov/service-details/learn-about-court-service-centers

Additional Resources and References

- http://www.masslegalservices.org/system/files/library/vlp_guardianship_adults_brochure.pdf
- <http://www.massguardianshipassociation.org/information/guardianship-of-an-adult-2/>
- <http://www.massguardianshipassociation.org/pdf/FINALHandbookforGuardians.pdf>
- <http://www.mass.gov/courts/selfhelp/guardians/guardianship-ip.html>

TRANSITION CLINIC**Deciding if Guardianship is Right for your Family**

Adapted from the Exceptional Lives Guardianship Guide: What can your family member do, and what do they need help with?

BEFORE YOU START THIS PROCESS, TAKE SOME TIME TO ASSESS YOUR FAMILY MEMBER'S SPECIFIC NEEDS:

- Review the list below (Source: Jackins, 2010: Legal Planning for Special Needs in Massachusetts)
- For each area, think and talk about how well your family member can do these things on their own.
- Involve your family member in this discussion as much as possible.
- Depending on what your family member can do, you may want to consider limited guardianship or an alternative (health care proxy, power of attorney, representative payee), or you may decide full guardianship is the right choice.

MEDICAL

- Seek medical care when they are sick or injured
- Weigh the risks and benefits of medical procedures
- Understand the need for routine medical care
- Understand that they may still need a medical procedure, even if it is painful or unpleasant
- Assess whether taking a certain medicine is important, even though it may have unpleasant side effects
- Provide accurate information about their medical condition
- Follow medical advice and treatment plans

EDUCATION

- Understand their learning issues and the services they need at school
- Advocate to get the services they need

FINANCES

- Apply for a credit card/open a bank account and manage these accounts
- Apply for and manage SSI benefits
- Keep money safe so it's not lost or stolen
- Keep a monthly spending budget
- Pay for expenses

VOCATIONAL/ADULT SERVICES

- Apply for services from government agencies [for example: the Department of Disability Services (DDS), Department of Mental Health (DMH), Massachusetts Rehab Commission (MRC)]
- Access the services they need, like job training, job support, or day programs
- Advocate for themselves to get the best possible services

LIVING ARRANGEMENTS

- Take care of themselves, physically
- Buy food, clothing, and shelter
- Live in a group setting and respect others' needs for quiet, privacy, and cleanliness

LEGAL AND DECISION-MAKING

- Understand what it means to sign documents
- Make sound decisions in important life areas like housing, school, and work

SELF-CARE AND SAFETY

- Use basic safety skills: staying away from dangerous areas, locking doors, not talking to strangers, being careful around fires, stoves, candles, etc.
- Get help during emergencies like fires or accidents

COMMUNICATION

- Communicate effectively (verbally or by other means)
- Understand that they have choices
- Express their preferences