

North Dakota Protection & Advocacy Project



What is Supported Decision-Making? and What Does It Look Like?

Supported Decision-Making is a process for making well-informed, voluntary decisions by methods less restrictive than guardianship or conservatorship. Supported Decision-Making allows individuals to make their own decisions and stay in charge of their lives, while receiving the help and assistance they need.

What Does Supported Decision-Making Look Like?

There are three components to Supported Decision-Making:

- **The Individual**
- **The Supporter**
- **The Supported Decision-Making Agreement**

All people need and use support to make important life decisions (e.g. where to work, which friends or family members to spend time with, help with medical or financial decisions, etc.). Using the Supported Decision-Making model, older adults and people with disabilities choose someone they trust, often a friend, family member or professional, to serve as their "Supporter."



The **Individual** selects a Supporter to help make decision(s),

- someone they trust and can discuss choices and decisions with.

The **Supporter** can help the Individual to:

- Understand the options, responsibilities, and consequences of their decisions.
- Obtain and understand information relevant to their decisions.
- Communicate their decision to the appropriate people.
- The Supporter cannot make the decisions.

The Individual makes the final decision.

Before selecting a Supporter, the Individual decides what decisions he/she needs assistance with.

A **Supported Decision-Making Agreement** between the Individual and the Supporter is made in writing using a form which defines what type of assistance the Individual is requesting and what the supporter has permission to do.

The form is signed, dated, and requires witnesses or a notary public.

This document can help doctors, bankers, lawyers, and other third parties to understand and accept the decision of the person with a disability.

While this model might not work for everyone, Supported Decision-Making is an alternative to guardianship, is flexible, and can change with the needs of the Individual to provide more opportunities for independence. Many people with disabilities can manage their own affairs with assistance and guidance from a Supporter whom they trust.

ND has a statute for Supported Decision-Making passed in the 66th ND Legislative Session. The law becomes effective August 1, 2019.

The **next step** has started...educational materials and sessions are currently being developed to provide information and assistance to the Individuals, the Supporters, and the Professionals who will be using this tool, allowing people who are elderly or have disabilities to retain their decision-making capacity by choosing supports to help them make their own choices.

Remember:
The Individual is always
at the *center* of
**Supported Decision-
Making**



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