



## **There are Alternatives: Before You Think About Guardianship, Consider Your Options**

The Jenny Hatch Justice Project (JHJP) helps people with disabilities and their families think about **Alternatives to Guardianship**. Youth with disabilities can improve their decision-making abilities with support and a chance to practice. Before you think about going to court to get guardianship, call us. We can talk to you and your child about other available options.

### **What is Guardianship?**

Under D.C. law, when people – including those with disabilities – turn 18 years old, they are presumed capable of making their own decisions. Guardianship means a judge takes away some or all of someone’s decision-making rights and gives them to a “guardian.” The guardian’s power is spelled out in a court order and D.C. law.

### **Why May You Be Thinking About Guardianship?**

Planning for a child with a disability to transition into adulthood is not easy. You may worry that your child won’t be able to make complicated decisions about healthcare, money, education, housing, or relationships. It may seem like a guardianship is the only way you can protect your child. Teachers, caseworkers, doctors, and other service providers may be telling you to get guardianship. However, we want you to remember that there are ways to support people with disabilities without going to court and taking that step. We are here to help.

### **D.C. Law Provides a New Option for Adults with Disabilities**

Because of the Disability Services Reform Amendment Act of 2018, D.C. now formally recognizes Supported Decision-Making Agreements, which allow people with disabilities to make their own decisions with the help they want and need from chosen supporters.

### **Feeling Overwhelmed? Call the Jenny Hatch Justice Project**

Remember, guardianship is more than going to court to get a piece of paper. It has consequences. Guardianship takes away a person’s right to make important decisions about his or her own life. It also means the court will become part of your family’s life going forward. It can change relationships, take time, and cost money. There are no guarantees that a judge will appoint you as your child’s guardian or be willing to change the guardianship in the future, if you decide it is not the right fit for your family. Before you go to court, support your child by talking to a lawyer at the Jenny Hatch Justice Project. We help people with disabilities explore **Alternatives to Guardianship**.

### **Want to Talk More About Alternatives to Guardianship? Call Us:**

Morgan Whitlatch, Legal Director, and Jessica Bronson, Staff Attorney  
Quality Trust, Jenny Hatch Justice Project  
202-448-1448

You can both support your child's **Right to Make Choices** as she or he becomes an adult **AND** remain involved in your child's decision-making.

Here are some **Concerns** that have led parents to think about guardianship and some **Alternatives** that can address those concerns. We can work with you and your child to create a plan that is right for him or her.

**Concerns about Healthcare:** My adult child needs more time to build her skills to make medical decisions. I am concerned that my child's physician will not continue to provide her with medical care unless I am involved.

**Alternatives in Healthcare:**

- If your child signs a "**HIPAA**" **release form**, doctors can share information with you, and you can help your child make her own decisions with informal **Supported Decision-Making**. If your child wants you to be her formal supporter, you and she can sign a **Statutory Supported Decision-Making Agreement Form**.
- If your child wants to sign a **Durable Power of Attorney for Healthcare**, she can give you the power to make health decisions for her, if doctors feel she cannot make them herself, even with support.
- If your child is not able to make medical decisions, even with support, and cannot sign a power of attorney, the **D.C. Health Care Decisions Act** can give you the power to make her health care decisions without going to court.

**Concerns about School:** My adult child is not leaving high school when he turns 18. I want to be sure I can continue to attend and participate in his IEP meetings.

**Alternatives in School:**

- If your child signs a **DCPS or OSSE Supported Decision-Making Form**, you can continue to get information about your child's education and support him in making his own decisions. If your child wants you to be his formal supporter for other decisions in addition to those about education, you and he can sign a **Statutory Supported Decision-Making Agreement Form**.
- If your child wants to sign an **Educational Power of Attorney**, he can give you the power to continue to make decisions about his education.
- If your child is not able to make educational decisions, even with support, and cannot sign a power of attorney, OSSE can appoint you as his **Educational Representative** without you having to go to court.

**Concerns about Money:** I worry that my adult child is not ready to manage her own money and that someone will take advantage or steal from her.

**Alternatives for Money:**

- Daily **money management strategies** can include direct deposit, automatic bill pay, and joint accounts.
- A **Statutory Supported Decision-Making Agreement Form** may allow you to support your child in making his own financial decisions.
- A **Power of Attorney** can be used by your child for financial decisions, too.
- The Social Security Administration can appoint you as your child's **representative payee** and you do not have to go to court.

**Want to Talk More About Alternatives to Guardianship? Call Us:**

Morgan Whitlatch, Legal Director, and Jessica Bronson, Staff Attorney

Quality Trust, Jenny Hatch Justice Project

202-448-1448



## **Need disability support services? Maybe we can help.**

**Get Educated!** Find out how to help someone with a developmental disability get the support services that are essential for life after high school. Be prepared. Learn about the government agencies, rules and providers that determine how we access vital supports.

Up Next:

### **What you should know about Special Needs Trusts and Estate Planning**

Learn about developing an estate plan that can enhance the quality of life for someone with a disability, while protecting his/her public benefits. We will review how to establish a Special Needs Trust, as well as associated funding options.

\*Note: this session is relevant for Maryland, DC and Virginia residents.

**Register:** <https://tinyurl.com/y9txefso>

**When:** Tuesday, June 19<sup>th</sup> 6:00pm – 8:00pm

**Where:** Quality Trust for Individuals with Disabilities,  
4301 Connecticut Ave, NW Ste 310, Washington DC  
Parking: Giant Food lot beneath the building

**Cost:** \$20.00 for DC residents; \$25 for MD residents

**Questions?** Contact Phyllis Holton at [pholton@dcqualitytrust.org](mailto:pholton@dcqualitytrust.org)  
or call 202-448-1458

Since 2002, Quality Trust for Individuals with Disabilities (501c3) has helped people live with dignity as integrated members of their communities. We offer the information, guidance and advocacy people need to access supports that are essential for a quality of life that includes self-determination and community engagement. To learn more, visit <http://www.DCQualityTrust.org>.





## Know Your Voting Rights

The Help America Vote Act (“HAVA”)<sup>1</sup> is a federal law enacted in 2002 to protect the voting rights of people with disabilities. HAVA requires:

- at least one voting machine at each polling place that is accessible for people who have visual or mobility disabilities;
- full barrier-free access to polling places to enable people with disabilities to cast their votes privately as nondisabled voters do; and
- ballots in multiple languages.

If you are a person with a disability, you have the right to:

- vote at an actual polling site (Election officials must not force people with disabilities to vote curbside or via absentee ballots);
- register to vote in-person on Election Day (including early voting);
- vote at any accessible polling place, if your assigned polling place is not accessible;
- request an absentee ballot online or by mail at least 7 days before Election Day;
- vote by “provisional ballot” in the event of registration on Election Day or if your name is not on the registration rolls, or you are deemed ineligible. Provisional ballots are counted when the election officials determine voter eligibility; and
- accessible communications from the D.C. Board of Elections for people with visual disabilities.

Election officials must not exclude voters based on their:

- Homelessness;
- Residency in a nursing home, hospital or jail (unless currently incarcerated for a felony conviction);
- Physical disability;
- Mental disability (unless a court held that you are legally incompetent to vote); or
- Lack of identification.

**Need Assistance?** For information on voting, call the DC Board of Elections and Ethics at (202) 727-2525. For assistance with voting access issues, call Disability Rights DC at (202) 547-0198.

---

<sup>1</sup> 42 U.S.C. §§ 15301-15545.

### Conozca Sus Derechos Como Votante

Ayude a América a Votar o “HAVA” es una ley federal promulgada en 2002 para proteger los derechos de los votantes con discapacidades. La HAVA exige:

- que en cada centro de votación haya al menos una máquina de sufragio con facilidades de acceso para las personas con discapacidades visuales o de movilidad;
- que el acceso a los centros de votación esté libre de obstáculos físicos, para permitirle a las personas con discapacidades emitir su sufragio en privado, tal como lo hacen las que no tienen discapacidades; y
- que las boletas estén disponibles en varios idiomas.

Si usted es una persona con una discapacidad, usted tiene derecho:

- emitir su sufragio en un centro de votación normal. Los funcionarios electorales no deben obligar a las personas con discapacidades a votar en la acera ni por correo.
- registrarse para votar en persona en el día de la elección (y votación temprana);
- votar en cualquier lugar de votación accesible, si su lugar de votación asignado no es accesible;
- votar mediante una “boleta provisional” en caso de registrarse el día de la elección o si su nombre no aparezca en las listas, o si se le considera no apto. Las boletas provisionales se cuentan al momento en que los funcionarios electorales determinan si el votante reúne los requisitos; y
- recibir comunicados del Consejo Electoral del Distrito de Columbia adaptados para las personas con discapacidades visuales.

Los funcionarios electorales no deben excluir a los votantes discapacitados porque:

- Estén sin hogar;
- Residan en un asilo, un hospital o en la cárcel (a menos que al momento estén encarcelados cumpliendo una condena por algún delito grave);
- Tengan alguna discapacidad física;
- Tengan alguna discapacidad mental (a menos que un tribunal sostenga que no son legalmente aptos para votar); o
- Falta de identificación.

**¿Necesita ayuda?** Para más información sobre cómo votar, llame al Consejo Electoral y de Ética del Distrito de Columbia al (202)727-2525. Para obtener ayuda con cuestiones de acceso al voto, llame Derechos de los Discapacitados de DC al (202) 547-0198.



# Lifeline Partnership Field Trip to a Chocolate Factory June 23 at 2pm



We will be taking  
a field trip to the  
Harper Macaw Chocolate Factory  
for a tour and tasting

We are only able to bring a total of 24 people  
Please let Pastor Susanne know  
If you would like to go  
call her at 202 628-4819  
or email her at [Lifeline@FirstTrinityDC.org](mailto:Lifeline@FirstTrinityDC.org)



Accessible for wheelchairs

