

A New Tool for Clients with Disabilities:
Supported Decision-Making Agreements

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TABLE OF CONTENTS

I.	INTRODUCTION	1
A.	Introduction to the Supported Decision-Making Agreement Act.....	1
B.	The Need for Supported Decision-Making.....	2
1.	Self-Determination	2
2.	Impact of Guardianship	2
3.	The ADA Generation	2
4.	Person-Centered Planning	3
5.	Decision-Making Can Be Learned	3
6.	The Supported Decision-Making Process	3
C.	History of the Texas Supported Decision-Making Act.....	4
1.	History of the Texas Statute	4
2.	Supported Decision-Making in the U.S.....	5
3.	International Supported Decision-Making	5
II.	THE SUPPORTED DECISION-MAKING AGREEMENT ACT	6
A.	Who Can Enter Into the Agreement?.....	6
B.	Who Can Be the Supporter?	6
C.	What is the Scope of the Agreement?.....	6
D.	What Authority Does The Supporter Have?.....	7
E.	What Rights Are Maintained By The Adult With a Disability?.....	7
F.	What are the Execution Requirements?	7
G.	How Does It Differ From a Power of Attorney?	8
H.	Does the Agreement Create a Fiduciary Duty?	8
I.	How Long Does The Agreement Last?	8
J.	Is Personal Information Protected?.....	8
K.	What Are the Liability Risks for Someone Relying on the Agreement?.....	9
L.	What About Abuse?.....	9
M.	Can Supported Decision-Making Be Used With Guardianship And Other Alternatives?.....	9
III.	ETHICAL CONSIDERATIONS FOR THE ATTORNEY.....	9
A.	Capacity to enter into attorney-client relationship.....	10
B.	Who is client?	10
C.	Joint Representation.....	10
D.	Duty to Communicate With the Person with a Disability.....	11

IV. PRACTICAL APPLICATION	11
V. CONCLUSION	12
VI. RESOURCES	12

Supported Decision Making: What the New Law Could Mean for Your Clients

By

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I. INTRODUCTION

A. Introduction to the Supported Decision-Making Agreement Act

Texas became the first state in the nation to recognize supported decision-making agreements as a less restrictive alternative to guardianship. The Supported Decision-Making Agreement Act, found in Chapter 1357 of the Texas Estates Code, became effective September 1, 2015. The Act defines supported decision-making as “a process of supporting and accommodating an adult with a disability to enable the adult to make life decisions, including decisions related to where the adult wants to live, the services, supports, and medical care the adult wants to receive, whom the adult wants to live with, and where the adult wants to work, without impeding the self-determination of the adult.” Tex. Est. Code Sec. 1357.002.

The supported decision-making agreement act allows an adult with a disability to choose a supporter to help obtain the information needed to make a decision, help them understand the choices and risks, and communicate the decision to the appropriate people. Tex. Est. Code Section 1257.003. The supporter does not make the decisions for the adult. Tex. Est. Code Sec. 1357.051.

A supported decision-making agreement is an alternative to guardianship for an adult with a disability who may need assistance with making decisions regarding daily living but is not so incapacitated that he or she needs a guardianship. Tex. Est. Code Sec. 1357.003. The statute includes a supported decision-making agreement form, or you may use one that is in substantially the same form. Tex. Est. Code Sec. 1357.056.

A sample supported decision-making agreement is attached as Appendix A.

B. The Need for Supported Decision-Making

Persons with intellectual, developmental or cognitive disabilities are often considered not capable of decision-making. They may lack some of the cognitive skills used to make decisions, such as reasoning, problem-solving, planning and focused attention. The historic response has been to place them under a guardianship to protect them. The growing trend is away from guardianship and toward alternatives that allow the person to make their own life decisions.

1. Self-Determination

The imposition of a guardianship, or substituted decision-making, results in the individual with a disability losing authority to make their own life choices. They lose their legal personhood. “The ability to steer one’s course—whether characterized as self-determination, liberty, the pursuit of happiness or freedom of choice—is a fundamental value in American law.”¹ Guardianship takes away a person’s freedom of choice, self-determination and independence. U.S. Representative Claude Pepper has stated, “the typical ward has fewer rights than the typical convicted felon.”²

Many individuals with intellectual or cognitive disabilities can understand some aspects of the decision-making process or may be able to express preferences about their life. The challenge is to allow them to be part of the process whenever possible, so that with assistance they can gain some level of self-determination.

2. Impact of Guardianship

Guardianship can result in negative outcomes for individuals who would benefit from less restrictive alternatives. Guardianship can leave the individual feeling disempowered, with no control over their own life because someone else is making decisions for them. The person may experience a stigma because of the legal inability to make decisions. Their well-being and physical and mental health may be adversely affected.³

3. The ADA Generation

This generation of people with disabilities is the first to grow up with the rights and opportunities protected and promoted by the Americans with Disabilities Act, according to Richard LaVallo, Legal Director of Disability Rights Texas. They believe that community integration and self-determination are crucial elements of well-being.

¹ Glen, Kris....retrieved on January 3, 2016 from

www.nlrc.aoa.gov/legal_issues/guardianship/docs/kris_glen_paper_final_10-12.pdf

² Representative Pepper, serving as chair of a House Select Committee held on September 25, 1987 on *Abuses in Guardianship of the Elderly and Infirm: A National Disgrace*. H.R. Rep. No. 100-641, at 1 (1987)

³ Jennifer L. Wright, *Guardianship for Your Own Good: Improving the Well-Being of Respondents and Wards in the USA*, 33 *Int'l J.L. & Psychiatry* 350, 354 (2010).

Texas public schools are required to provide transition services to students with disabilities, so they can move successfully from high school to adult life. According to the Individuals with Disabilities Education Act (IDEA),⁴ the individual education plan must include the development of goals to assist the student with training for employment or independent living skills, and assisting the student to reach those goals. Students are taught self-advocacy skills and other skills needed to live as independently as possible.⁵ The student is always involved in the transition plan to the extent possible, and the student's strengths, interests and preferences are considered.

What happens to these self-advocacy and independent living skills when the parents obtain a guardianship as soon as the child turns 18? They no longer have a legal right to advocate for their own decisions. The child may wonder why these skills being taught if they are not allowed to be used.

4. Person-Centered Planning

Person-centered planning is gaining in popularity. Person-centered planning is based on the belief that people with disabilities are people first, with their own gifts and contributions. A person-centered plan develops a life plan for the future by focusing on the individual's preferences and capacities. It provides supports to the individual while giving the individual as much self-determination and independence as he or she wants and is able to take on.

5. Decision-Making Can Be Learned

Decision-making is a learned skill. A person gains self-determination when they make their own choices, learn to solve problems and experience the consequences of their decisions.⁶

Many people living with intellectual or developmental disabilities can make their own well-informed decisions if they are provided the proper help and support. The Arc takes the position that "people with disabilities should be taught decision making and self-advocacy skills from a young age, so that when they turn 18, they are ready to make their own decisions and to advocate for the support they need to make these decisions."⁷ The Arc encourages families to support "their loved ones to be in charge of their own lives."

6. The Supported Decision-Making Process

Supported decision-making provides a process through which the individual with a disability gains self-determination by receiving the help they need from someone they choose in

⁴ 20 U.S.C. Section 1400

⁵ 34 C.F.R. Section 300

⁶ National Parent Center on Transition and Employment: Self Determination. Retrieved on January 3, 2016 at <http://www.pacer.org/transition/learning-center/independent-community-living/self-determination.asp>

⁷ Retrieved on January 3, 2016 at <http://www.thearc.org/file/Guardianship-White-Paper.pdf>

order to make their own decisions. Supported decision-making focuses on the decision-making process and helps the individual understand the situation and the choices, weigh the options and communicate the decisions to other parties. The process is based on the preferences of the individual with disabilities. It is an outgrowth of person-centered planning.

Supported decision-making provides support by someone who will “speak with, rather than for, the individual with a disability.”⁸ It maximizes the autonomy of the person with a disability and the exercise of his or her constitutional rights.

The supported decision-making process can result in more independence, self-confidence and feelings of self-worth and empowerment. Supported decision-making may have “the potential to improve the overall physical and psychological well-being of persons with cognitive and intellectual disabilities by creating a sense of empowerment, which in turn has been linked to positive health outcomes.”⁹

C. History of the Texas Supported Decision-Making Act

1. History of the Texas Statute

SB 1881, introduced to the Texas legislature by Senator Judith Zaffirini, was passed and signed by the governor in 2015. It received the support of the Guardianship Reform and Supported Decision Making workgroup, made up of advocacy groups and individuals concerned with the rights of individuals with disabilities, and Texas Supreme Court Chief Justice Nathan Hecht. The Supported Decision-Making Act was part of the guardianship reform package, in which courts were mandated to consider alternatives to guardianship and supports and services before creating a guardianship. The supported decision-making agreement was specifically identified as an alternative to guardianship by the Legislature. Tex. Est. Code 1002.0015(10).

Texas had created a supported decision-making pilot program in 2009 that was implemented by DADS through the Arc of San Angelo. The program trained volunteers to assist individuals with intellectual, developmental or cognitive disabilities in making decisions about their own lives. The volunteers were matched with individuals with shared interests, and several court-initiated guardianships were avoided.

The Texas statute was not created in a vacuum. It is the result of a growing movement nation-wide and throughout the world to protect the basic civil rights of individuals with disabilities.

⁸ Robert Dinerstein, *Implementing Legal Capacity Under Article 12 of the UN Convention of the Rights of Persons with Disabilities: The Difficult Road from Guardianship to Supported Decision-Making*, 19 Hum. Rts. Brief 8, 10 (2012)

⁹ Nina A.Kohn, Jerry A. Blumenthal & Amy T. Campbell, *Supported Decision-Making: A Viable Alternative to Guardianship?* 1127 Penn State Law Review (Vol 117:4)

2. Supported Decision-Making in the U.S.

The most famous case involving supported decision-making is the story of Jenny Hatch, a 29-year-old woman with Down syndrome. Her parents filed for guardianship and placed her in a group home. They took away her cellphone and laptop and did not allow her to see her friends or work at the job she enjoyed. Quality Trust for Individuals with Disabilities represented Jenny and demonstrated to the court that she did not need a guardian because of her demonstrated history of making good decisions when given appropriate support. Using supported decision making, Jenny used trusted friends and family to help her understand her choices so she could make well-informed decisions. As a result she won the right to make her own decisions with support. She now lives and works where she wants and has the friends she chooses. She is involved with the Jenny Hatch Project, and advocates around the country for people with disabilities to be allowed to have more control over their lives.¹⁰

3. International Supported Decision-Making

The Convention on the Rights of Persons with Disabilities (“CRPD”) was adopted by the U.N. in 2006. The purpose of the Convention is “to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity.”¹¹ The general principles of the convention include the freedom of an individual with disabilities to make their own choices.

Article 12 of the CRPD requires states to provide supports for people with disabilities so they can make their own decisions. The CRPD has been signed and/or ratified by 160 countries, including Great Britain, Canada, most of Europe, and central and south America. The U.S. signed the Convention but it has not been ratified by the Senate.

Several provinces in Canada have supported decision-making statutes, including British Columbia,¹² Alberta and Yukon. In Sweden, supported decision-making is called a mentorship, in which mentors act only with the consent of the person, and the person’s civil rights remain intact.¹³

¹⁰ Jenny Hatch. (2014). Retrieved January 3, 2016 from <http://jennyhatchjusticeproject.org/jenny>

¹¹ Retrieved January 3, 2016 from www.un.org/disabilities/convention/conventionfull.shtml

¹² Representation Agreement Act, R.S.B.C. 1996, c. 405

¹³ Nussbaum, Martha: *Frontiers of Justice: Disability, Nationality and Species Membership*. Harvard University Press 2007: 196.

II. THE SUPPORTED DECISION-MAKING AGREEMENT ACT

A. Who Can Enter Into the Agreement?

A supported decision-making agreement may be entered into by an adult with a disability, defined as “a physical or mental impairment that substantially limits one or more major life activities.” Tex. Est. Code Sec. 1357.002. It is not available for someone who is totally incapacitated, thereby requiring a guardianship, but may be signed by someone who can make decisions with assistance. Tex. Est. Code Sec. 1357.003.

The statute does not establish the level of capacity required for an individual to enter into a supported decision-making agreement. The individual should have the ability understand that the supporter will be assisting him or her with particular decisions, and to be able to make decisions with the help of the supporter.

A supported decision-making agreement is appropriate for someone who has shown that he or she can engage in the decision-making process and make rational decisions if given appropriate help and support.

B. Who Can Be the Supporter?

The supporter may be any adult, and is usually a family member or friend. Tex. Est. Code Sec. 1357.002(5). The adult with a disability has the free will to choose who will serve as their supporter. The individual chooses someone they trust, as trust is the foundation of the process.

The supporter must agree to serve in that capacity, and must be willing to provide the time and commitment necessary to carry out the agreement. The supporter should be able to clearly understand and communicate with the person to be supported.

C. What is the Scope of the Agreement?

The adult with a disability may allow their supporter to help gather information needed for a life decision, support the decision-making process by helping the adult evaluate and understand the options and consequences, and communicate that decision to other parties. The agreement may be established for one specific decision or for many decisions.

The individual may authorize the supporter “to any or all of the following:

(1) provide supported decision-making, including assistance in understanding the options, responsibilities, and consequences of the adult’s life decisions, without making those decisions on behalf of the adult with a disability:

(2) subject to Section 1357.054, assist the adult in accessing, collecting, and obtaining information that is relevant to a given life decision, including medical, psychological, financial, educational, or treatment records, from any person;

(3) assist the adult with a disability in understanding the information described by Subdivision (2); and

(4) assist the adult in communicating the adult’s decisions to appropriate persons.”

Tex. Est. Code Sec. 1357.051.

The agreement allows the individual to decide which decisions they would like assistance with:

- Obtaining food, clothing and shelter
- Taking care of physical or mental health
- Managing financial affairs
- Obtaining education or training
- Choosing and maintaining supports and services
- Finding a job

The agreement may be customized to fit the situation as long as it is substantially similar to the statutory form.

D. What Authority Does The Supporter Have?

The supporter has no authority to make the decisions for the adult with a disability. The supporter is only allowed to assist the individual with whatever is specified in the agreement. Tex. Est. Code Sec. 1357.052. The supporter helps the individual gather information and processes that information in order to make an informed decision. The supporter can also communicate the decision to the necessary third parties. The supporter merely assists the individual—the individual is “the decider.”

E. What Rights Are Maintained By The Adult With a Disability?

The adult maintains the right to make the decisions, including where to live, with whom to live, where to work, and what supports and services they want. Tex. Est. Code Sec. 13357.002(3). The individual can reject the advice of the supporter.

F. What are the Execution Requirements?

The adult with a disability must sign the agreement voluntarily, with no coercion or undue influence. Tex. Est. Code Sec. 1357.051. The supporter must indicate consent to serve in that capacity by signing the agreement as well. Both the adult and the supporter must sign in the

presence of either two witnesses (age 14 or older) or a notary public. Tex. Est. Code Sec. 1357.055.

G. How Does It Differ From a Power of Attorney?

A power of attorney grants an agent the authority to make decisions and handle matters without input from the individual. A supported decision-making agreement does not give the supporter the power to make decisions—the person with a disability retains right to make decisions for himself or herself.

H. Does the Agreement Create a Fiduciary Duty?

A fiduciary relationship exists when someone acts on behalf of another person by agreement to conduct business or manage their affairs. A fiduciary has a duty to act in good faith and with loyalty. A guardian owes a fiduciary duty toward the ward, and an agent owes a fiduciary duty toward the principal.

The Supported Decision-Making Agreement Act does not impose a statutory fiduciary duty on the supporter. The statute does create a confidential relationship between the individual and the supporter. The individual trusts and relies on the supporter. It is possible that the supporter could be held liable under common law breach of a confidential relationship.

I. How Long Does The Agreement Last?

The agreement may specify an expiration date; otherwise it is effective until the adult or the supporter terminates the agreement. The agreement may also be terminated if the Department of Family and Protective Services finds that the supporter has abused, neglected or exploited the adult with a disability, or the supporter has been found liable for criminal conduct of abuse, neglect or exploitation. Tex. Est. Code Sec. 1357.053.

J. Is Personal Information Protected?

The agreement allows the supporter to access private information only as needed to assist the adult with disabilities in obtaining or accessing information relevant to making the decision authorized by the agreement. Tex. Est. Code Sec. 1357.054. If the supporter needs access to medical or other records protected by the Health Insurance Portability and Accountability Act of 1996 (Pub. L. No. 104-191) (“HIPAA”), the adult must sign a HIPAA release giving the supporter that access. If the adult would like the supporter to access educational records, he or she must sign a release under the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g).

The supporter is required to ensure that the information is kept confidential and privileged and must protect the information from unauthorized access. Tex. Est. Code Sec. 1357.054(b). The supported decision-making agreement does not prevent the individual from

seeking their own personal information without assistance of supporter. Tex. Est. Code Sec. 1357.054(c). The individual's right to their own information is preserved.

K. What Are the Liability Risks for Someone Relying on the Agreement?

The statute provides that a person shall rely upon the original or copy of the supported decision-making agreement. Tex. Est. Code Sec. 1357.101(a). "A person is not subject to criminal or civil liability and has not engaged in professional misconduct of an act or omission if the act of omission is done in good faith and in reliance on a supported decision-making agreement." Tex. Est. Code Section 1357.101(b). The statute absolves someone of liability for acting in good faith while relying on a supported decision-making agreement.

L. What About Abuse?

Because supported decision-making agreements are informal, there is no court supervision over the supporter. The agreement is entered into in private and the supporter is not subject to formal accountability. There may be a concern that the supporter could improperly influence the individual's decisions, and end up undermining their rights rather than empowering them.

The statute specifically provides for action if the supporter is suspected of abusing or exploiting the individual who signed the agreement. "If a person who receives a copy of a supported decision-making agreement or is aware of the existence of a supported decision-making agreement has cause to believe that the adult with a disability is being abuse, neglected, or exploited by the supporter, the person shall report the alleged abuse, neglect or exploitation to the Department of Family and Protective Services in accordance with Section 48.051, Human Resources Code." Tex. Est. Code Sec. 1357.102.

This is a broad instruction—anyone who is aware of the supported decision-making agreement and suspects abuse or exploitation must report it. The supported decision-making agreement form advises those who suspect abuse to call the DFPS abuse hotline at 1-800-252-5400 or online at www.txabusehotline.org.

M. Can Supported Decision-Making Be Used With Guardianship And Other Alternatives?

A Supported decision-making agreement theoretically could be used in conjunction with guardianship alternatives such as powers of attorney and representative payee. It is possible that it could be used with a limited guardianship if the right to make the specific decision is retained by the ward. This use should be consistent, however, with the goal of promoting self-determination of the person with a disability and avoiding a full guardianship.

III. ETHICAL CONSIDERATIONS FOR THE ATTORNEY

An attorney must consider several ethical issues before representing clients who wish to enter into a supported decision-making agreement. Usually the family members of the person with a disability are the ones who contact the attorney for advice regarding guardianship or alternatives to guardianship. If a supported decision-making agreement is the best solution for the family, do you represent the individual, and if so, does the individual have the capacity to retain you?

A. Capacity to enter into attorney-client relationship

First you must consider whether you are authorized to represent an incapacitated client. Tex. Disciplinary R. Prof Conduct 1.02(a) assumes that the lawyer is legally authorized to represent the client. Comment 12 of Tex. Disciplinary R. Prof. Conduct 1.02 provides: “the usual attorney-client relationship is established and maintained by consenting adults who possess the legal capacity to agree to the relationship.Unless the lawyer is legally authorized to act for a person under a disability, an attorney-client relationship does not exist for the purpose of this rule.”

We also consider Tex. Disciplinary R. Prof. Conduct 1.02(g), which provides: “A lawyer shall take reasonable action to secure the appointment of a guardian or other legal representative, or seek other protective orders with respect to client whenever the lawyer reasonably believes that the client lacks legal competence and that such action should be taken to protect the client.” We are required to take action to obtain a guardianship only if it would protect the client. Guardianship is required only if the less restrictive alternatives are not sufficient.

B. Who is client?

Do you represent the person with a disability or the supporter? Can you represent both? Loyalty is an essential element in lawyer’s relationship to a client. Tex. Disciplinary R. Prof. Conduct 1.06 comment 1. Even though there are no ethics opinions on the issue, Tex. Disciplinary R. Prof. Conduct 1.06 , comment 15 warns that conflicts of interest in non-litigation situations may sometimes be difficult to assess. Conflicts may arise in estate planning and estate administration even in matters as simple as preparing a will for spouses.

C. Joint Representation

If an attorney decides to represent the person with a disability and the supporter in entering in a supported decision-making agreement, the attorney must comply with Tex. Disciplinary R. Prof. Conduct 1.06(b) and (c). Joint representation is only permissible if:

1. the lawyer reasonably believes the representation of each client will not be materially affected; and
2. each affected or potentially affected client consents to such representation after full disclosure of the existence, nature, implications, and possible adverse consequences of the common representation and the advantages involved, if any. Tex. Disciplinary R. Prof. Conduct 1.06(c).

Comment 8 of Tex. Disciplinary R. Prof. Conduct 1.06 warns that “Disclosure and consent are not formalities. Disclosure sufficient for sophisticated clients may not be sufficient to permit less sophisticated clients to provide fully informed consent.”

If a lawyer has represented the person with a disability and the supporter in entering into a supported decision-making agreement, the lawyer shall not represent the person with a disability or the supporter in a dispute between them arising out of the supported decision-making agreement unless prior consent is obtained from both the person with a disability and the supporter. Tex. Disciplinary R. Prof. Conduct 1.06(d).

D. Duty to Communicate With the Person with a Disability

If the attorney represents the person with a disability, the attorney must reasonably be able to communicate with the individual. Tex. Disciplinary R. Prof. Conduct 1.03(b) provides that “a lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

When communicating with a client under a disability, Comment 5 provides: “In addition to communicating with any legal representative, a lawyer should seek to maintain reasonable communication with a client under a disability, insofar as possible. When a lawyer reasonably believes a client suffers a mental disability or is not legally competent, it may not be possible to maintain the usual attorney-client relationship. Nevertheless, the client may have the ability to understand, deliberate upon, and reach conclusions about some matters affecting the client’s own well-being. Furthermore, to an increasing extent the law recognizes intermediate degrees of competence. The fact that a client suffers a disability does not diminish the desirability of treating the client with attention and respect.”

Individuals with intellectual and cognitive disabilities have a right to be represented by counsel, and special care must be taken to communicate properly with the client.

IV. PRACTICAL APPLICATION

Supported decision-making agreements are useful when the person with a disability has shown they have the capacity to assist with their own decisions that are beneficial to them. If the person gives the supporter permission to help with medical decisions, they will need the capacity to sign a HIPAA release.

The supported decision-making agreement does not protect the individual from bad decisions. We all have the freedom to make bad decisions—this is known as the “dignity of risk.” Every life experience has some degree of risk, and we can learn from our mistakes as well as our successes. We often grow the most from our failures. A person with an intellectual disability may want to make their own choices and take on that risk.

The person with a disability may make a decision that the supporter does not agree with or like. But what if the decision is detrimental to the well-being of the person? The person signing the supported decision-making agreement must demonstrate that they have the capacity to make a particular decision. Do they truly possess that capacity if they are making a decision that would harm them? Would a limited or temporary guardianship be needed to protect the person? These are questions to be considered.

One of the advantages of the use of supported decision-making agreements is that the parties do not necessarily need an attorney, and no court involvement is required. It is therefore less expensive and may be more accessible to parties with limited financial means. It may also be less stressful to the parties than a guardianship proceeding.

V. CONCLUSION

Supported decision-making agreements can be an excellent tool attorneys can add to their tool chest when assisting individuals with disabilities and their families. It allows the adult with disabilities to advocate for themselves and to make their own decisions with the support they need. It celebrates the personhood and uniqueness of the individual.

There is a fine line between supporting the independence of an adult with disabilities and safeguarding them against risk. But the supported decision-making agreement act is a positive move away from paternalistic substitute decision-making and toward self-determination and true personhood of individuals with disabilities.

VI. RESOURCES

National Resource Center for Supported Decision-Making:
www.supporteddecisionmaking.org

Disability Rights Texas: www.sdm.disabilityrightstx.org

The author wishes to thank Richard LaVallo, Legal Director of Disability Rights Texas, for the valuable information used to prepare this paper.

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Tresi Moore Weeks is an attorney and founder of The Weeks Law Firm, PLLC in Plano, Texas, where she assists clients with estate planning, special needs planning, special needs trusts, probate and guardianship. After 11 years as a trial attorney, she opened her own estate planning law firm 17 years ago. As an advocate for her own child's special needs, she is passionate about helping families with loved ones with special needs.

Tresi serves on the Board of Directors of the Collin County Bar Association and is immediate past president of the Estate Planning and Probate Section. She serves on the Board of Directors of several organizations, including Disability Rights Texas (Vice Chair of the Board), the Association for Independent Living ("AFIL") in Dallas, The Coventry Reserve in Wylie, Estate Planning Council of North Texas and the Dallas Society of Financial Service Professionals. She is on the Advisory Council for My Possibilities. She enjoys her volunteer legal work for the Dallas Volunteer Attorney Program and the Collin County office of Legal Aid of North West Texas.

Tresi is a lifelong learner through her memberships in the National Academy of Elder Law Attorneys, Probate Trust and Estates section of the Dallas Bar Association, the Dallas Estate Planning Council, and the State Bar College. She was voted Best Lawyer in Plano in the Plano Star Courier Reader's Choice Awards 2015.

Tresi is a frequent speaker on special needs trust for attorneys, advisors, educators and parents of children with special needs. She is also a frequent speaker for women's and church groups about basic estate planning and godly stewardship. She lives with her husband Kevin, and they are active members of Watermark Community Church in Dallas.

Education

Baylor University School of Law, J.D., 1987
Baylor University, B.A. in Foreign Service, 1984

Licenses

Texas Supreme Court 1987
U.S. District Court, N. Dist. of TX
U.S. Court of Appeals, 5th Circuit
Certified Texas Guardian Ad Litem and Attorney Ad Litem



AWARDS, ACTIVITIES, MEMBERSHIPS

- Best Lawyer in Plano, Plano Star Courier Readers' Choice Award 2015
- Collin County Bar Association: Board Member; Immediate Past President of the Estate Planning and Probate Section
- Disability Rights Texas: Vice Chair of the Board of Directors, Chair of the PAIMI Advisory Council
- Association for Independent Living, Dallas: Board Member
- Dallas Society of Financial Service Professionals: Board Member
- Estate Planning Council of North Texas: Board Member
- Coventry Reserve: Board Member
- My Possibilities: Advisory Council Member
- National Academy of Elder Law Attorneys: member
- Dallas Bar Association: member of the Probate, Trusts and Estates Section
- Dallas Volunteer Attorney Program: volunteer attorney
- Legal Aid of North West Texas: volunteer attorney
- Dallas Estate Planning Council: member
- State Bar College: member
- Legal Services of North Texas: volunteer, Pro Bono Service Award 1989-91
- Dallas Women Lawyers Association: President 1993, Vice President 1992, Board of Directors 1989-94, member 1988-95
- State Bar of Texas: member of the Real Estate, Probate and Trust Section; Mentor Program for Lawyers Committee 1994-98, Local Bar Services Committee 1994-96

