

IMPORTANT LEGAL DECISIONS INVOLVE REAL PEOPLE!

Some time ago we celebrated a ground-breaking decision by the Acting Surrogate in Kings County (Brooklyn) that denied guardianship, citing the UN Convention on the Rights of Persons with Disabilities (CRPD), SDM and SDMNY (Good News 1/6/2023). The case was titled Matter of Grace J. and involved a 62-year-old woman who was living happily in a group home in Marine Park, Brooklyn. Her parents had been appointed her guardians many years before but, some time after they passed away, Grace's sister sought to be appointed. After a hearing where Grace was represented by Mental Hygiene Legal Services (MHLS), the Court denied guardianship, finding that Grace was "an adult with an intellectual disability, but who has demonstrated the capacity to retain her rights to... autonomy with the strong support of her siblings and staff at her group home." The Surrogate continued, "Allowing [Grace] to retain her rights and liberties, while providing her with any necessary assistance in a supported decision-making framework, is ultimately in Respondent's best interests" and suggested that the parties contact SDMNY to facilitate that SDM "assistance."

That's exactly what happened, and shortly after, Grace signed up for SDMNY facilitation. But because Grace wasn't able to effectively use the available technology for remote meetings, we needed to find an experienced facilitator who would be willing to travel to Brooklyn to work with her. Enter Tom Ott, who has volunteered with us almost from the beginning, before he retired from YAI where he was much beloved. As always, he was a wonderful, thoughtful and successful facilitator, and his work with Grace, and her supporters, including her sister, culminated in a joyful signing celebration on May 10th.



From left to right: Nichelle, Courtney (Grace's brother), DM Grace J. (seated), Facilitator Tom, Grace D.

Grace is described as kind and thoughtful to those she lives with, her friends, family and those who support her. She is close to her sister, Angela and enjoys visiting her and her family for holidays and other events. Though unassuming and generally quiet, Grace is a keen observer and listener. She came into the facilitation process as someone already making decisions each day, and when asked, will share what she likes and does not like. She takes pride in her looks and appearance, loves having her nails done and is always stylishly dressed. She likes her housemates and enjoys living in her home!

At the ceremony, Tom remarked on what a good sister, aunt, person and friend Grace is, and Angela thanked Grace for choosing her as a supporter. Tom also expressed gratitude, proving our often-noted observation that the facilitation process has real value for *everyone* involved in it. He thanked Grace for teaching him how to listen better, and in a different way; and for helping him learn how to ask better questions so that she could make decisions that reflected her actual choices. He told her that that's been important for him, and he thanked her for teaching him that. We are so proud to have Grace, who is a real person as well as the subject of an important legal opinion, as an SDMNY Decision-Maker!

CONGRATULATIONS TO GRACE, HER SUPPORTERS AND FACILITATOR TOM!