

## A YOUNG DECISION-MAKER WITH A DIFFERENT KIND OF GUARDIAN CELEBRATES HIS SDMA SIGNING

Under our law, parents have legal authority over their children, neurotypical and neurodivergent alike, until those children turn 18. That is, they have the power to make all decisions for those children, and under 18-year olds have no right to make their own decisions. That all changes when young people reach the age of 18 and are presumed to have the capacity and right to make their own decisions.

We think about this reversal of rights a lot because it is the point at which parents of young adults with I/DD have traditionally been told to seek guardianship in order to continue their legal authority. But a recent signing ceremony reminds us that, in fact, there are two very different kinds of guardians, one, appointed under SCPA Article 17-A, that takes rights away from young adults who would otherwise have them, just like everyone else over 18, and another kind, guardians who have been appointed for young people under 18 for whom there would otherwise be no one to make decisions.



*Jayden with his family and supporters, facilitator Wendy, mentor Aylah*

Sadly, Decision-Maker Jayden lost his mom when he was very young, and to fill the legal void that loss created, his grandmother Alma stepped up and became his guardian. She was not a 17-A guardian, but rather “Guardian of a Minor” who was given legal authority over Jayden until he reached 18. As he approached his birthday in February, the question arose as to whether to seek 17-A guardianship, but when Jayden and his family learned about SDM, they decided to give it a try. Jayden began his facilitation in March, uncertain as to what to expect, but with what Facilitator Wendy described as “a wonderful group of Supporters who are already active in his life [and] committed to enhancing his ability to set his life course [with] Jayden very open to that support.” Grandma Alma reports

“I am very proud of Jayden. This was a big step for him. He is getting to be more of an adult in making decisions. He made the decision to take his GED test, and he passed! He is doing an internship at a nursing home. He is making decisions and using his Supporters in his day-to-day life.”

Jayden’s guardianship as a minor ended on February 22, and he and his family recently celebrated his SDMA signing. Now, at age 18, thanks to a great, different kind of guardian who values his autonomy and independence, Jayden has the same legal, civil and human rights of everyone else!

## CONGRATULATIONS TO JAYDEN AND HIS SUPPORTERS, AND THANKS TO FACILITATOR WENDY!