



Presented by Attorney Patricia A. Jones





What is Legal Aid Society?

Legal Aid Society is a 501(c)(3), non-profit law firm that that offers education and legal representation in civil matters to low-income individuals, families, and seniors who typically lack the means to afford legal services.



Mission

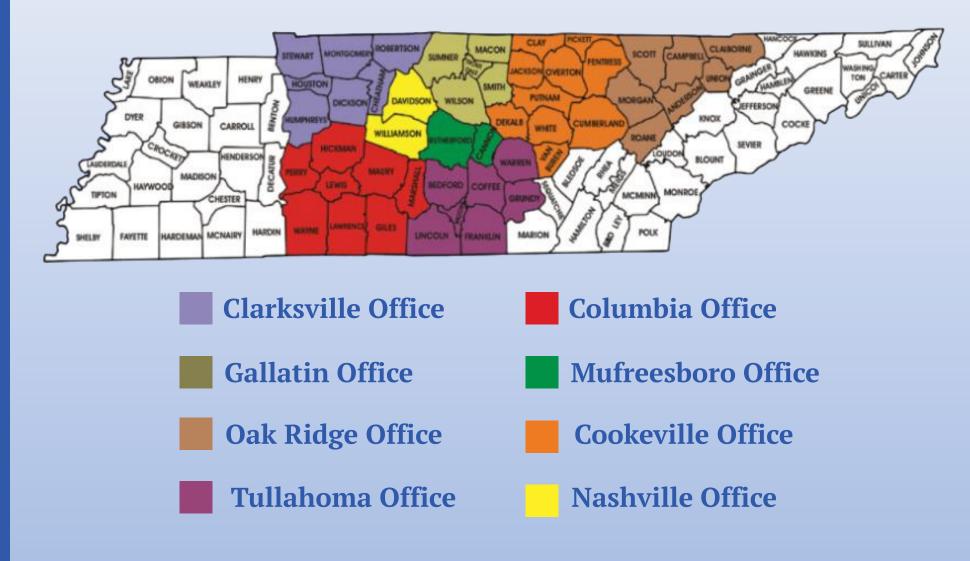
To advance, defend, and enforce the legal rights of low-income and vulnerable people in order to secure for them the basic necessities of life.





Areas of Practice Bankruptcy Consumer Protection Education Law Employment Family Law and Domestic Violence **Health Law** Housing **Immigration Law Juvenile Law Mortgage Foreclosure Public Benefits Tax Disputes**

Where We Serve





Legal Aid Society's Home Retention Team's Mission

Prevent Loss of Homeownership and Preserve Generational Wealth



What is Heirship Property?

Family Land

No Clear Legal Owner

Name(s) on Deed

Deceased and/or Multiple Heirs





What is Heirs Property?

Property Owner on Deed

*Deceased

*No children *Deceased

Child # 2

*Deceased

Child # 3

25%

Child # 4

25%

Child # 5

*Deceased

Grandchild

*Deceased

Great-grandchild

25%



Grandchild

*Deceased

Grandchild

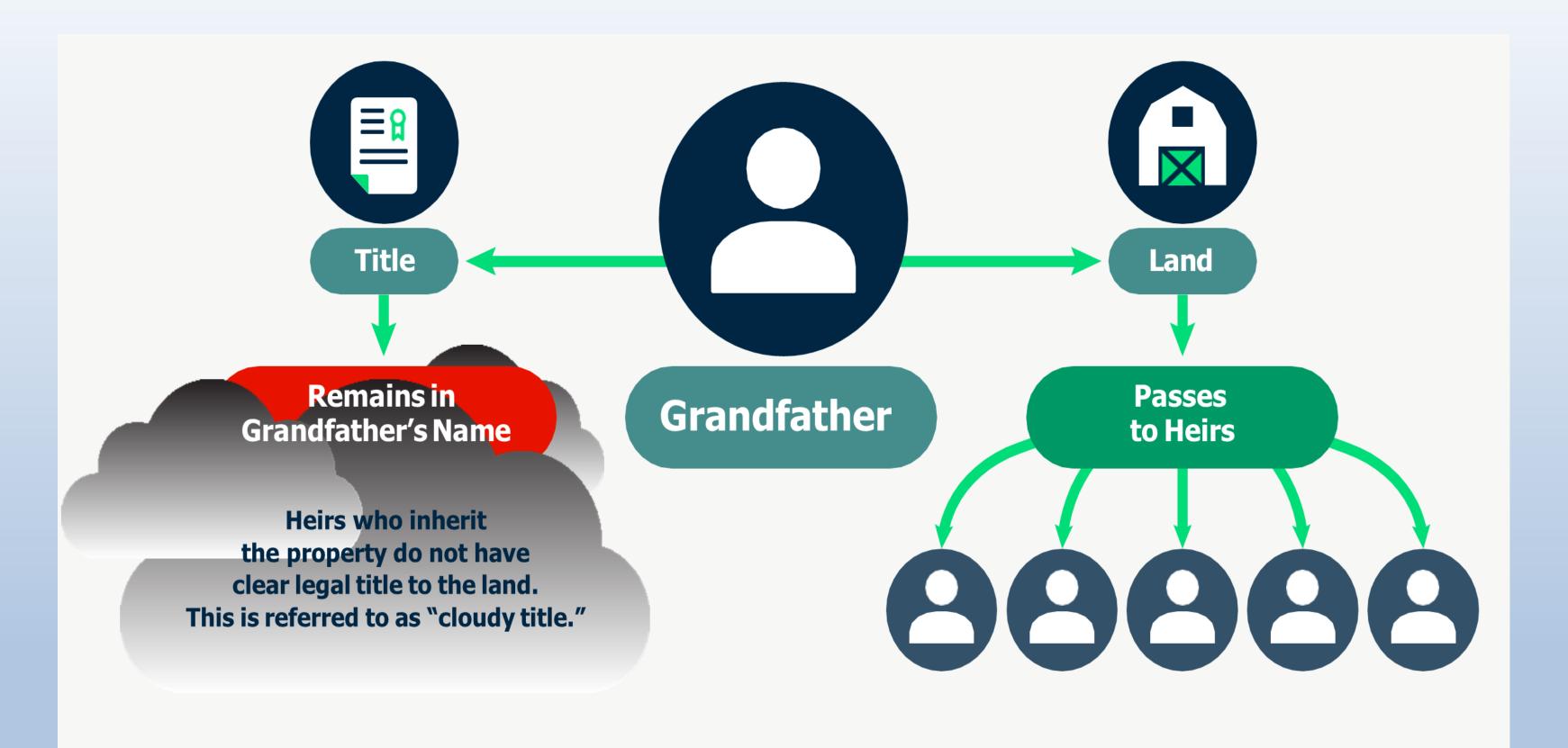
12.5%

Great-grandchild

6.25%

Great-grandchild

6.25%





Heirship Property Problems





Involuntary Loss of Home

- Foreclosure: Obtaining loss mitigation more difficult; ineligible for financial assistance.
- Property Tax Sale: no access to tax relief; increased likelihood taxes become delinquent.

Involuntary Loss of Home

 Inhabitability Concerns: Lack of access to rehab funds; inability to obtain loan;
 condemnation

Partition Lawsuit: forced sale of family home.

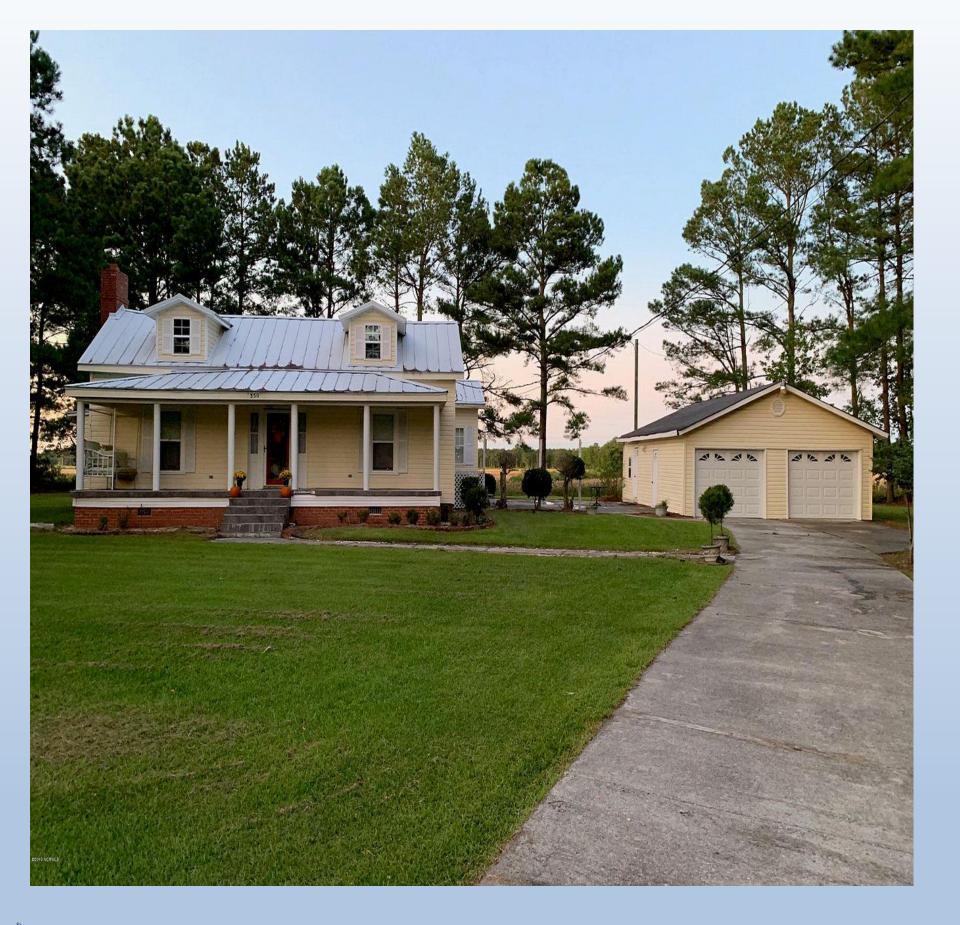


Other Consequences of Heirship Property

- Inability to Sale
- Inability to Rent
- Adverse Possession
- Insurability Issues



Preventing Heirship Property





Estate Planning to Prevent Heirship Property

Consult with a Professional Attorney

Include a LIFE ESTATE, so someone can remain living in the home.

Be Clear in Designating Heirs

Consider choosing a "Favorite"



Right of Survivorship

Beneficiary Dies

→ Interest to
other named
Beneficiaries

Tenants in Common

Beneficiary Dies

→ Interest to

Deceased

Beneficiaries

Heirs



Estate Planning Profiles

"I give Blackacre to my three children."

"I give Blackacre to my three children as joint tenants with a right of survivorship."

"I give a life estate in Blackacre to my spouse and the remainder interest in Blackacre to my daughter."

"I give a ½ interest in Blackacre to Child A, subject to the life estate of Child B. I give a ½ interest in Blackacre to Child B, subject to the life estate of Child A.



Deed in Lieu of Wills

Homeowner should never convey ownership to someone else without retaining a life estate.

If a client wants to convey their residence to someone else, review the Tenncare rules for CHOICES eligibility.

- Spend down requirement
- 5-year look back provision



Alternatives to Probate

Without a will - AFFIDAVIT OF HEIRSHIP

- Sworn statement detailing identity of heirs at law
- Gets recorded at Register of Deeds

With a VALID will - MUNIMENT OF TITLE

- Limited probate that only transfers title to real property
- Does not require administration of the estate
- Certified will gets recorded at Register of Deeds



Successors in Interest to Mortgage

Non-Borrower Heir Submits Notice

- Obituary
- Evidence of Heirship
- Death Certificate
- Request Information Needed to Confirm as Successor in Interest



Successors in Interest to Mortgage

- Servicer must respond to Request for Information from Potential Successor.
- Servicer must provide phone number.
- Servicer may require Affidavit of Heirship or Muniment of Title.



Confirmed Successor in Interest

- Borrower Protections under RESPA
- Loss Mitigation Options
- Have Option to Assume Mortgage



Heirship Property Example

Client believes he qualifies for a property tax reduction, but the county says the property is not in his name. Client has a will signed by his deceased mother, leaving him the property.



Heirship Property Example

Client lives in her deceased father's home. The mortgage company will not communicate with her because she is not the borrower. Client's father died intestate.







Keep In Touch

Contact Patricia Jones pjones@las.org 931-771-9167 www.las.org







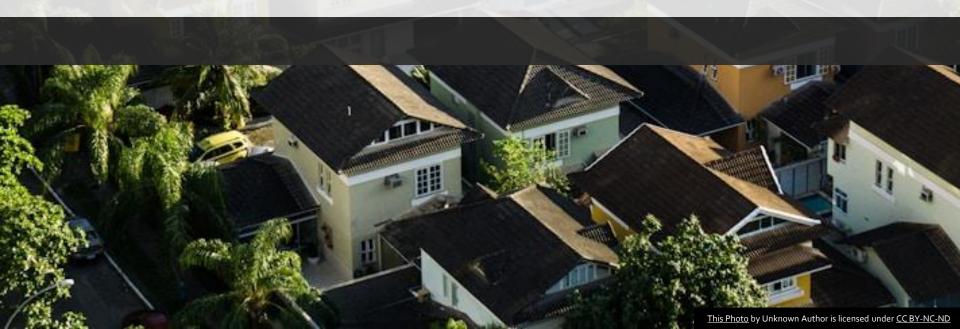
Thank you!



CONSERVATORSHIP OVERVIEW: WHEN AND WHY

OFFICE OF CONSERVATORSHIP MANAGEMENT AMY WILLOUGHBY BRYANT - DIRECTOR

2025 HOUSING EDUCATION SYMPOSIUM - JULY 22, 2025



OTHER DECISION-MAKING TOOLS



Durable Power of Attorney



Power of Attorney for Healthcare



Healthcare Surrogate



Living Will

CONSERVATORSHIPS

FACTS ABOUT CONSERVATORSHIPS AND GUARDIANSHIPS

There is no list of conservators that have been removed

No training is required for conservators

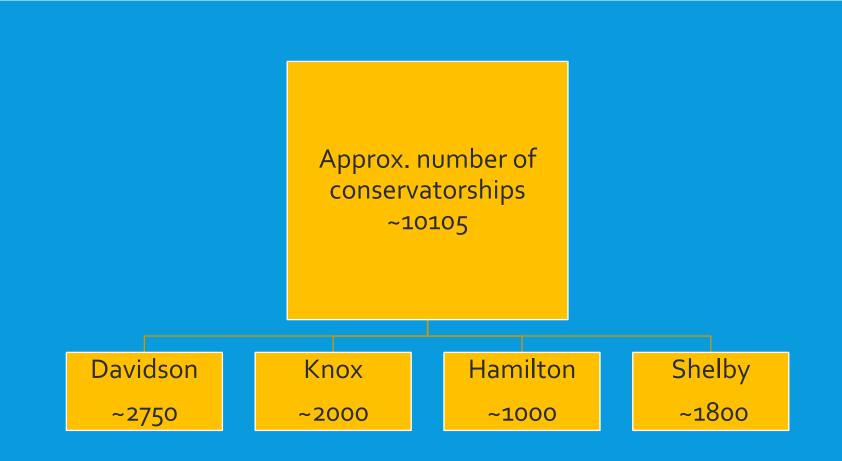
Every county handles them differently

TN has no idea how many conservatorships we have

TN has no idea how much \$\$ is being managed by conservators

TN has no registry for conservators or respondents

CONSERVATORSHIPS IN TN



AGENCIES THAT ASSIST WITH CONSERVATORSHIP PETITIONS

Department of Children's Services

Department of Disability and Aging

Tennessee
Department of
Corrections

Adult Protective Services (DHS)

Legal Aid Society of Middle TN and Cumberlands

Conservatorship Association of TN

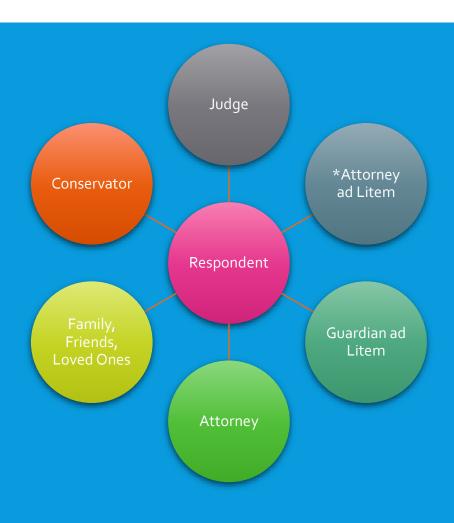
HOW IS A CONSERVATORSHIP ESTABLISHED?

A petition is filed by an interested party

The Court determines a conservator is needed

Enumerated powers are removed from the respondent and given to the conservator

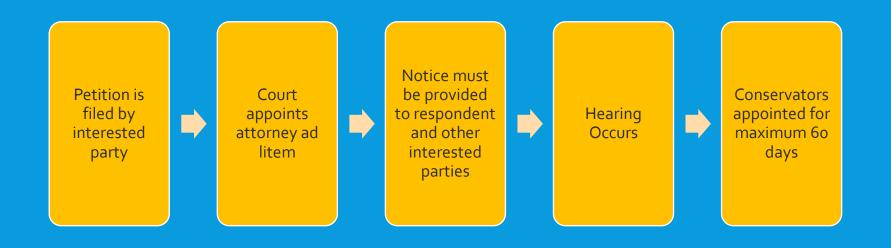
WHO ARE THE PLAYERS IN THE CONSERVATORSHIP PROCESS?



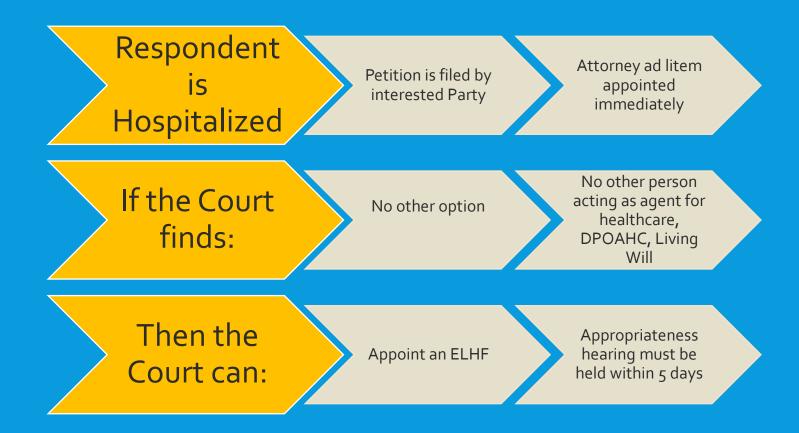
TYPES OF CONSERVATORSHIPS



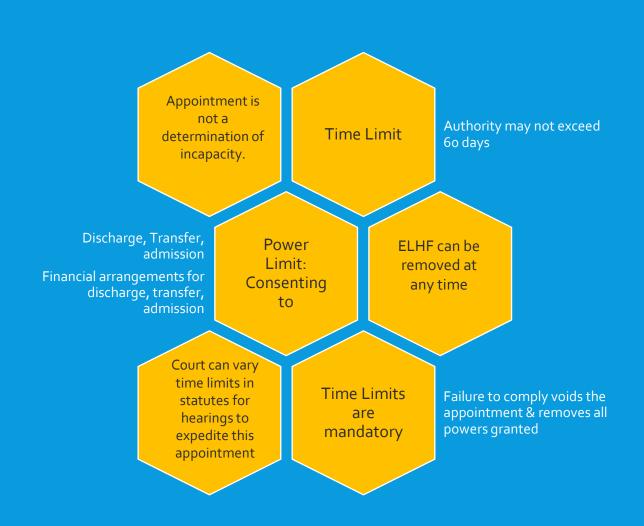
EMERGENCY CONSERVATOR TN CODE ANN §34-1-132



EXPEDITED LIMITED HEALTHCARE FIDUCIARY (ELHF) TN CODE ANN §34-1-133



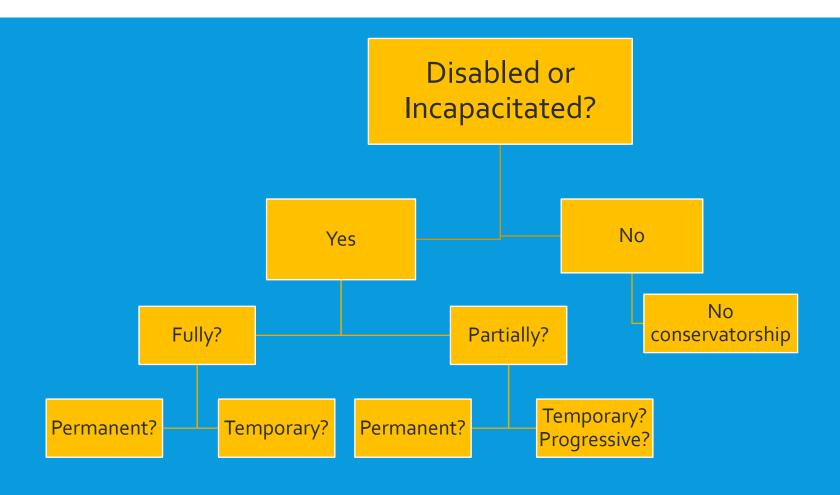
EXPEDITED LIMITED HEALTHCARE FIDUCIARY (ELHF)



FULL CONSERVATORSHIP



HOW DOES THE COURT DETERMINE IF A CONSERVATOR IS NEEDED?



WHAT DOES THIS MEAN?

- The respondent has been determined to be disabled or incapacitated.
- Once the conservator is appointed, the respondent no longer has the power to make decisions on their own behalf.
- The conservator must be contacted to make decisions on behalf of the respondent.
- The conservator must be included when a decision is being made for the respondent.



WHAT ARE THE DUTIES OF THE CONSERVATOR?



To make decisions for or on behalf of the person with the disability.



Make all decisions, whether personal or financial, in the best interest of the person with the disability.



Use the least restrictive alternatives.



Follow the Court's orders. If it's not in the order, there may be no authority to make decisions.



File reports required by the Court on time.



When necessary, ask court permission, not forgiveness.

HOUSING RELATED DUTIES OF THE CONSERVATOR?



Preventing foreclosure if Respondent falls behind on mortgage payments



Payment of utilities and insurance



Dealing with decisions related to co-ownership of property



Management of hoarding or unsafe living conditions



Avoid conflicts of interest in all transactions.



Be on guard for any scams and financial exploitation

SITUATIONS YOU MAY FACE



POA USED TO SECURE A QUIT CLAIM DEED.
CONSERVATORSHIP WAS FILED BY APS HOWEVER THE
HOUSE HAD BEEN SOLD TO A DEVELOPER AND
DEMOLISHED BY THE TIME THE CASE MADE IT TO COURT



DISABLED YOUNG ADULT NEEDS A CONSERVATORSHIP OR POA ONCE THEY TURN 18 TO STAY IN PUBLIC HOUSING

A conservator needs to be appointed if they are not capable of signing the lease.



EMERGENCY CONSERVATOR MAY BE REQUIRED TO SELL REAL PROPERTY TO PAY FOR NURSING HOME CARE

A conservator needs to be appointed if there is no one authorized to access bank accounts and/or authorized to sell property for the person with the disability.



COURT APPROVAL IS REQUIRED TO SELL REAL PROPERTY IN A CONSERVATORSHIP CASE

A conservator must file a petition to sell property, notify the respondent and all interested parties, file a motion to approve the contract and obtain the order to sell prior to approval by the title company to close.



REAL PROPERTY UTILIZED AS RENTAL INCOME REQUIRES SPECIAL ATTENTION

A conservator will have to obtain Court approval to execute lease agreements with tenants; arrange for maintenance and repair services; include rental income in Respondent's tax return; and obtain appropriate insurance coverage.



REAL ESTATE NEEDS TO BE PROPERLY INSURED

An in-effect homeowner's insurance policy is key to protecting the Respondent from liability and protecting one of their largest assets.



COURT APPROVAL IS REQUIRED FOR LARGE PURCHASES

The conservator needs court approval to purchase real property and may be required to obtain court approval for a lease especially if the conservator is moving the respondent after the property management plan has been filed or the conservator is attempting to pay a full year lease up front



OBTAIN COURT APPROVAL PRIOR TO EXECUTING ANY CONTRACT TO HIRE A PROFESSIONAL.

The conservator needs to check on the professional's qualifications, interview the professional thoroughly and ask questions and review contracts carefully before signing



Some of the paramount goals of this Office, as the needs were identified by the Volunteer Task Force, are to

- 1. Review the care and management provided by conservators to help provide for the health, safety, and welfare of individuals under a conservatorship;
- 2. Add an additional layer of review of the management of the assets by conservators;
- 3. Help provide or direct to resources that are available to promote successful conservatorships; and
- 4. Educate conservators and the general public about conservatorships in Davidson County.

These goals are pursued through an active staff working in concert with other Metro departments, organizations and agencies, knowledgeable professionals, and organized volunteers.

Through these efforts, the Office of Conservatorship Management helps to encourage the responsible, ethical, and appropriate management and treatment of individuals under a conservatorship within Davidson County.

OCM AUTHORITY

Blanket Order of Authority

Case Specific Order

OCM FUNCTIONS

Welfare Review Financial Review

Education

Resources

WELFARE REVIEW

WELFARE REVIEW

Metro Social Services and the OCM entered into a Memorandum of Understanding.

- Review court file;
- Request documents from the source;
- Walkthrough respondent's residence;
- Interview relevant parties;
- Verify information given to court and its compliance with Orders and law; and
- Analyze whether decisions made by the conservator are in the best interest of the respondent.

FINANCIAL REVIEW

FINANCIAL REVIEW

The OCM supports the courts in their conservatorship oversight function.

HOW HAVE WE HELPED?

Even when issues are identified, the OCM endeavors to help conservators be empowered to be successful fiduciaries - by discussing findings, providing constructive recommendations for case improvement, and connecting fiduciaries with needed resources.

Fiduciary missteps identified by the OCM:

~ 2800 Conservatorships

~ 400 Guardianships

\$117.5 Million Assets
 being managed by
 conservators

~1300 Home Visits

- Uncovered over half of a million dollars in funds misappropriated by fiduciaries.
- Located undisclosed real property.
- Identified real property purchased and sold without court approval.
- Identified cases in which conservators used the respondent's resources for their own benefit, rather than for the benefit of the respondent.
- 31 conservatorships were expanded/changed due to issues identified by the OCM.
- 111 conservators were removed/replaced due to issues as identified by the OCM.
- 76 conservatorships were terminated due to action taken by the OCM

CONTACT



Amy BryantDirector, Office of Conservatorship
Management

1 Public Square Ste. 601, Nashville, TN 37201 (615)880-3355

amy.bryant@nashville.gov



TN Center for Decision-Making Support:

Understanding
Decision-Making
Support Options

Conservatorship,
Trusts
&
Tangles
Titles

2025 Housing Education Symposium

Penny Johnson

TN Center for Decision-Making Support Program Director

What are decision-making supports (DMS)?

DMS are tools, documents, or supports that help an individual to understand choices and make decisions about their life.

Informal decision-making supports are people, tools, and processes that help someone to understand and make decisions.

- Trusted advisors- family, friends, support staff, educators, etc.
- Assisted technologies
- Role playing
- Having someone attend Dr. Appointments, etc.

Formal decision-making supports refers to actual forms, agreements or legal documents.

• Conservatorships, Powers of Attorney, Special Needs Trust, Supported Decision-Making, Wills, etc.





Why is this Important?



Decision-Making impacts the person's ability to live independently.

2

It's important for the person and supporters to understand the options for decision-making documents.

3

It's important for the person and supporters to have tools and resources to support decision-making autonomy.

All of these establish and support the person to live their best life and to become a self-determined individual.

Decision-Making Options

- Conservatorship
- Durable Power of Attorney
- Power of Attorney
- Supported Decision-Making (SDM) *

- Representative Payee
- Special Needs Trust
- ABLE Savings Account
- Healthcare Directive/Plan
- Health Care Surrogate
- Will/End of Life Planning



*TN does not have an SDM law.



Conservatorship vs: "Alternatives" other decision-making supports

Conservatorship:

- Court order
- Removes the legal rights
- Based on the determination of incapacity
- •Is difficult to change or terminate

Other decision-making supports:

- Do not remove legal rights
- •Give other people the authority to help make decisions
- •Person **must have** decision-making "capacity" for most of these supports. (Ex: POA, DPOA, Supported Decision-Making, etc.)

What is decision-making capacity?

The ability to understand there is a decision to make; understand the benefits, risks and consequences of the choices; be able to make a decision; and share (communicate) that decision.

 Ability to share (communicate) the decision may come in different forms based on the person's mode of communication, such as verbal, written, sign language, technology, etc.



Capacity (cont.)

- Presume capacity
- Capacity can be developed
- Capacity can be fluid
- Capacity is not based solely on IQ or a specific diagnosis
- Lack of opportunity to make decisions can prevent people from developing capacity or further decrease capacity. (Salzman, 2010)
- "Bad" decisions ≠ lack of capacity (dignity of risk)



What is Conservatorship?

Conservatorship is defined in Tennessee Code Annotated 34-1-101(4)(A):

"Conservatorship is a proceeding in which a court removes the decision-making powers and duties, in whole or in part, in a *least restrictive manner*, from a person with a disability who lacks capacity to make decisions in one or more important areas and places responsibility for one or more of those decisions in a conservator or co-conservators."

You can look up Tennessee Law

here: https://www.lexisnexis.com/hottopics/tncode.



Power of Attorney (POA) Durable Power of Attorney (DPOA)



Legal document used to give someone else the authority to make decisions on the individual's behalf.

- Individual must have capacity to authorize the POA/DPOA to make decisions on the individual's behalf.
- Can be cancelled at any time as long as the individual has decision-making capacity.
- POA <u>is no longer valid if/when the</u> <u>individual loses</u> decision-making capacity.
- **DPOA** <u>continues even if the individual loses</u> decision-making capacity.

POA/DPOA (cont.)

- Different types of POA/DPOA
 - Medical Durable Power of Attorney /General Durable Power of Attorney (Financial)
 - Springing Power of Attorney
 - General Power of Attorney
- Can be used for medical, financial, legal contracts, applying for services, housing and basic needs decision and more.
- Legal assistance is recommended when setting up a POA/DPOA but is not required.
- The individual does not lose their decision-making rights.
- The document requires the signature of 2 witnesses or a signature of a notary.

Representative Payee

A Representative Payee can be assigned by the Social Security Administration (SSA) to help an individual with a disability to manage their SSI/SSDI benefits.

- The individual does not lose their decision-making rights.
- The Rep. Payee is designated to help the individual manage their benefits.
- The Rep. Payee must use the money for the individual's needs and wants only.
- The Rep. Payee must maintain records of the financial dealings regarding the individual's finances.
- The Rep. Payee is accountable to SSA to submit annual reports of the individual's finances and expenditures.

Special Needs Trust

A legal plan and account for placing funds and other assets in the control of someone the individual with disability trusts or can be assigned by the court. The person controlling the trust is called the "Trustee".

- Enables the individual to save money beyond the benefits resource limits.
- Can protect money and property of the individual with a disability.
- Legal assistance and/or financial planners are recommended when setting up a Special Needs Trust.
- There are different types of Special Need Trusts: First Party,
 Third Party and Pooled Trust.



Achieving a Better Life Experience (ABLE Savings Account)

Federal savings program that enables individuals with disabilities to save money beyond the normal assistance program resource limits.

- Can be used for: education, housing, transportation, personal support services, assisted technology, and more.
- Allows individuals with disabilities to save up to \$100,000 without affecting their government benefits. May place up to \$19,000/yr.* in the acct. To be eligible individual must:
- Have a been diagnosed with a qualifying disability before they turned 26 years of age, and
- Be eligible to receive SSI, SSDI or have been diagnosed from a physician with an intellectual, physical or mental disability that causes severe limitation that is expected to last more than 12 months.

^{*} The contribution amount may change annually. This amount reflects 2025 contribution limits. It is important to check with ABLE TN to ensure you are aware of any contribution changes.

Advanced Health Care Directive/Plan

Combines a Living Will and Medical Durable Power of Attorney:

- 1. Provides instruction regarding the medical treatment a person wants or does not want to receive when the person cannot communicate their decision or wishes to the medical provider. Includes health care decisions such as:
 - Defining quality of life
 - CPR
 - Life support
 - Organ donation, etc.
- 2. Allows person to appoint a healthcare agent and an alternate agent to make medical decisions for the person when the person becomes incapacitated
- 3. Person must have decision-making capacity to complete and sign this document.
- 4. Does not require an attorney to complete.
- 5. Person does not lose their rights.



Healthcare Surrogate

A Healthcare Surrogate can be designated to make healthcare decisions on behalf of another individual, usually in the case of an emergency or health crisis, when there are no other authorized decision-makers for the individual and the individual does not have the decision-making capacity to authorize treatment.

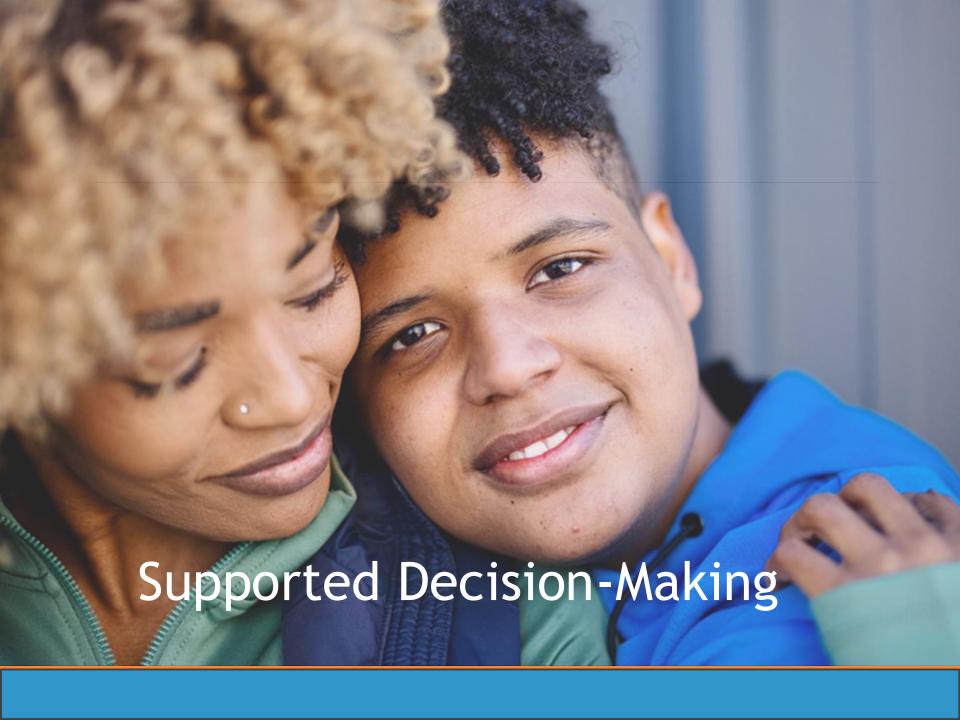
- A surrogate is assigned by the individual's physician.
- The physician revokes the surrogate if a surrogate is no longer needed or the individual requests the termination of a surrogate, if the individual regains decision-making capacity.
- A surrogate can make medical decisions for the individual with disabilities at anytime in which they are the designated surrogate.
- There is a hierarchy of relationship to the individual for choosing a healthcare surrogate.



Will/End of Life Planning

- •Wills are a legal document that will explain what you want to be done with your property and the care of your dependents when you die.
 - Dependents may be minor children or family members you are legally responsible for.
- •Wills can address complex issues like what to do with assets, property, investments, or long-term planning for dependents. It is recommended to seek legal counsel when seeking this document.
- •A person must be 18 years or older to complete a will.
- A person must have decision-making capacity to sign and authorize a Will.
- •The Will must be in writing and signed by the person making the Will and must be authorized by two qualified witnesses or a notary.





Supported Decision-Making (SDM)

Process of using a **person or team of trusted advisors** to help the person with a disability to make decisions.

- Encourages decision-making autonomy.
- Can be *practiced* with other decision-making supports (such as a Conservatorship, Durable Power of Attorney, Rep Payee, etc.) or as the **primary** support.
- Tennessee does not have a Supported Decision-Making law.
- Supported Decision-Making Agreement is not a legally binding document (such as Conservatorship/Durable Power of Attorney), but can be used as a tool.

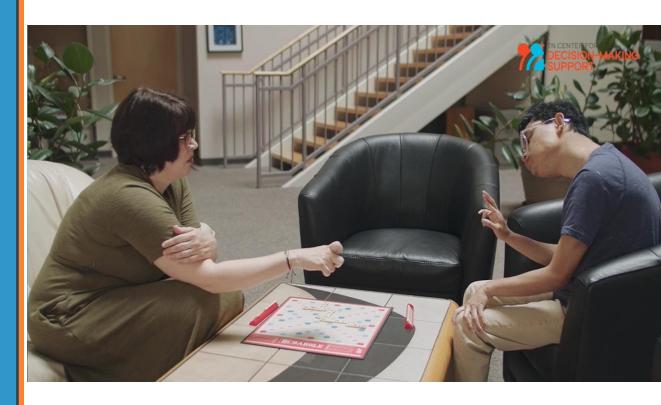


What is Supported Decision-making in TN?

Supported decisionmaking* refers to the idea that a person has the right to make decisions to the full extent of their capacity, even as they get needed support.

Why Decision-Making Support Matters

https://www.tndecisionmaking.org/videos/



It is a concept that can be practiced throughout life.

*Center for Decision-Making Support website definition

Examples of SDM

SDM is similar to providing reasonable accommodations. SDM empowers a person to understand decisions that affect their life. Examples of using SDM:

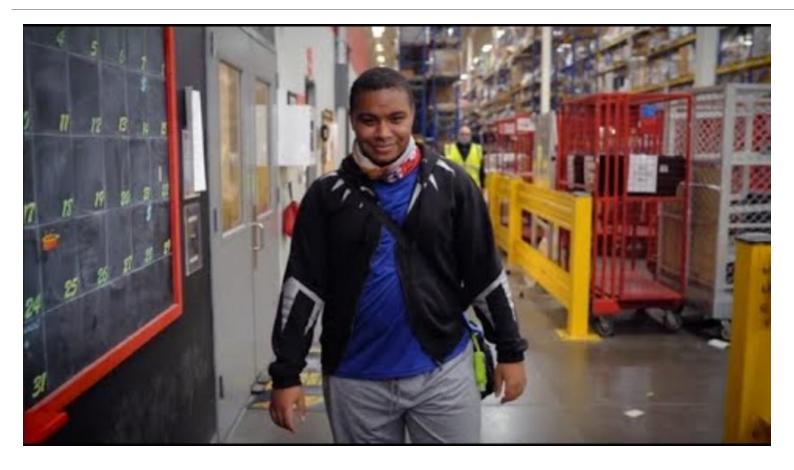
- Explaining information in visual or audio form instead of written.
- Giving extra time to discuss choices or try options before making decision.
- Creating a list of pros and cons to help think through the decision options, benefits and risks.
- Role-playing activities to increase understanding of choices.
- Bringing a supporter to help take notes during important appointments.
- Working with a team to make important decisions like a Circle of Support, IEP, or an IPE meeting.

Setting up a SDM Plan

- 1. Identify the amount and type of decision-making support needed.
- Identify trusted advisors who can be supporters with decisionmaking.
- 3. Determine which supporters will help with specific decisions.
- Schedule a Circle of Support/SDM team meeting to set up a Supported Decision-Making Plan/Agreement.
- 5. Discuss decision-making plan and get all members to agree.
- 6. Obtain formal decision-making supports (Rep Payee, Durable Power of Attorney, Able Acct, etc.), if needed.

^{*}Remember: Your role is to support the person to be their own decision-maker to the maximum extent they are capable. Each person's needs are unique so their SDM Plan should be unique to meet their needs.

SDM: Meet Terrell Brown



Video Link: Meet Terrell Brown



N-MAKING



Making decisions for your future

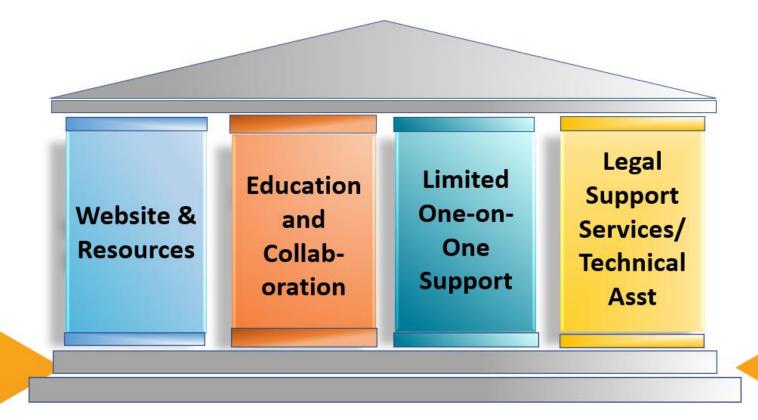
The tools on this website can help you decide how much support you need when making choices about your own life. These choices could be about where to live, where to work, how to spend your time during the day, or how to spend your money.

https://www.tndecisionmaking.org/

TN Center for Decision-Making Support

Free Resource for all Tennesseans

Four Pillar Model



Note: TN Center for Decision-Making Support does not provide legal advice.

CDMS: Types of Requests for Help

1. Transition services

Parent/s told they need to get a conservator before their youth turns 18
to be involved in the student's IEP, have access to school records, or help
with medical decisions.

2. Aging Services

• Adult child/family member has an elderly loved one with dementia/Alzheimer's and needs help with next steps regarding decision-making support options.

3. Mental Health

 Family member has a loved one with a mental health condition and needs crisis intervention/services. The facility tells the family member they must obtain a conservatorship to get them medical treatment.

4. Complex situation assistance for professionals

- Managed Care Organization/state personnel/providers contact CDMS for decision-making options help or issues with a conservator...
 - Conservator will not authorize necessary medical treatment, allow the person to move into independent living, get a job, see other family members, provide necessities, etc.
 - Conservator has passed away or is incapacitated and there is no-one to make medical or other necessary life decisions for the person.

Philosophy of Choice



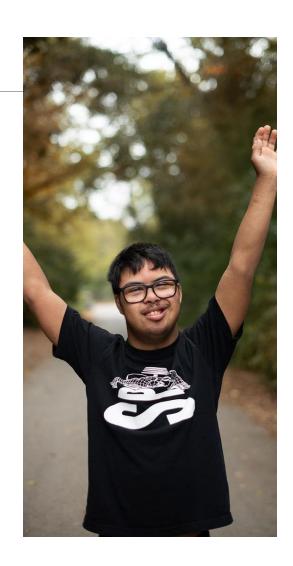
- Exercising choice is what makes us human
- Making choices helps develop executive functioning skills
- Only we know what we want and need
- •Even the best supporters cannot read our minds or understand our personal desires and wishes.

Research Shows...

When individuals with disabilities practice decision-making they obtain:

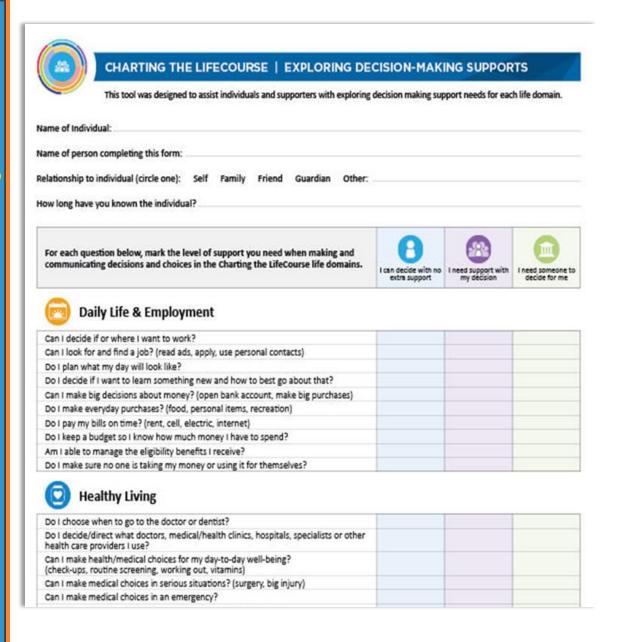
- Better quality of life
- More employment and community engagement
- Better physical and psychological health
- Increased welfare and safety

Sources: Powers et al., 2012; Shogren, Wehmeyer, Palmer, Rifenbark, & Little, 2014; Khemka, Hickson, and Reynolds, 2005; National Core Indicators, TN



Charting the LifeCourse Nexus

Exploring
Decision-Making
Supports Tool



These tools were developed by the Charting the LifeCourse Nexus (©2020 Curators of the University of Missouri, UMKC IHD, UCEDD)

The Arc Tennessee

Decision-Making Tool

Learning to make decisions one choice at a time.

TN CENTER FOR DECISION-MAKING SUPPORT				
	Decision	Making Too	ol	
and list on to those Maria			I trust, unders	tand, respect
and listen to them. My o	noice is about			·
Choices	Benefits	Risks / Dangers	Likes	Dislikes
1				
2				
3				
My decision is				
THI CENTED FOR				





Decision-Making Tool

Breanna helps me make decisions. I trust, understand, respect and listen to them. My choice is about what to do after graduating MAPS.

Choices	Benefits	Risks / Dangers	Likes	Dislikes
Going to Tennessee Rehabilitation Center (TRC)	-Learn new skills -Gain Independece -Learn how to live alone -Learn more about automotivesMake friends -Free program	-Mom is scared I could get hurt -Roommate drama -Getting lost on campus -Setting routines -Crowds and noises	-Gaining Independence -Learning how to develop job skills. -Making friends -Being away from home	-Doing laundry -Waking up early -Mom is nervous
Applying for Inclusive Higher Education Programs 2	-On a college campus and get to experience it -Make friends -Gain independence	-Mom is scared I could get hurt -Roommate drama -Getting lost on campus -Setting routines -Navigating campus -Loud noises	-Being independent -Making friends -Taking classes -Being away from home	-A lot of money -No sure what classes to take -Have to apply for program and spots are limited -Distance from home to college
Apply for local community college 3	-Learn something new -Make friends -Free if I can get TN Promise	-Classes will be hard -Not as much support as TRC/Inclusive Programs -Daily transportation to and from school	-Mom likes this option because I can live at home -Can study mechanics at this school	-Not being away from home -Not learning how to be independent -Might cost money to attend

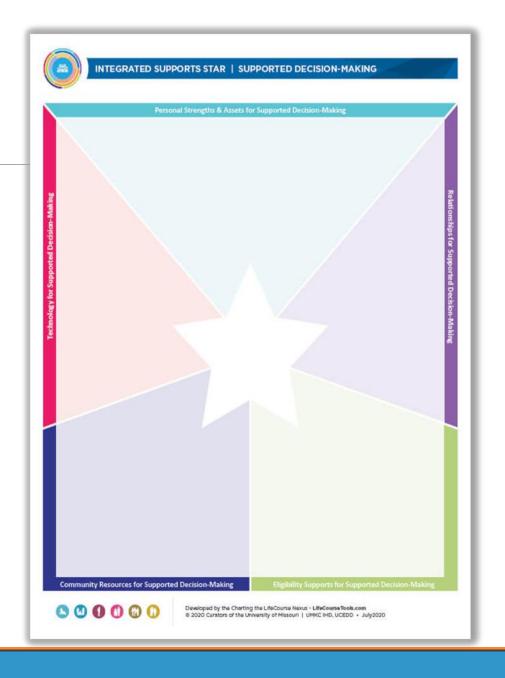
My decision is

Charting the LifeCourse:

Integrated Supports Star- Supported Decision-Making

<u>Supported Decision-Making –</u>
<u>LifeCourse Nexus (lifecoursetools.com)</u>

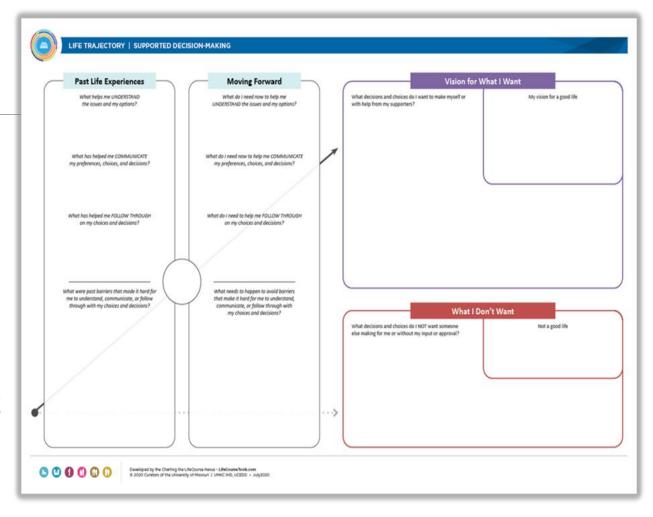
*This tool was developed by the Charting the LifeCourse Nexus (©2020 Curators of the University of Missouri, UMKC IHD, UCEDD)



Charting the LifeCourse:

Life Trajectory –
Supported
DecisionMaking tool

<u>Supported Decision-Making</u>
<u>– LifeCourse Nexus</u>
(lifecoursetools.com)



*This tool was developed by the Charting the LifeCourse Nexus (©2020 Curators of the University of Missouri, UMKC IHD, UCEDD)

Life Trajectory Worksheet: Good Life - Family Perspective MY VISION MY VISION FOR MY FAMILY MEMBER'S GOOD LIFE What do I think my family member's good life should look like? What would make them hoppy or give their life meaning? Things I would like my family member to Things that happened in the past that I want him to have friends helped them get closer to good life goals work on to move toward good life goals What are some things that helped my family What are some specific next steps I would Be able to play sports, especially basketball suggest for my family member? How could member prepare for or move closer to the Thelp them? I want him to be happy and healthy good life vision? · Give him time to warm up to new · Participating in Gen Ed classes and Have stable and gainful employment when he is an adult people after school programs To have real choice in adult living situations · Help others learn to have patience · Immediate consequences for his with him and give him time to Able to negotiate transportation in his community actions/learning accountability · Having chores and feeling successful communicate in his own way To know how to stay safe Help him know what is expected of · Having opportunities to make his Have a loving relationship/his own family him in various situations own choices · Help him have a routine Feeling of accomplishment · Finding different ways to help him · Figure out how he can start to get Belonging and acceptance summer work experiences Riding the Regular Ed bus with his Increased responsibility brother and later by himself Peyton Age 13 DISLIKES Things that happened in the past that Things that might keep my family WHAT I DON'T WANT FOR MY FAMILY MEMBER'S LIFE pushed away from good life/job goals member from getting their good life? What has happened in the past that has led my What are barriers or what might get in the way What would make my family member unhappy in life? family member's path in a direction they didn't of my family member taking steps to reach What are the things I don't want to see happen to them in their life? want or I didn't want them to go? their good life goals? No employment or a sheltered workshop · People having low expectations · People's negative assumptions · Learned helplessness/dependency Group home/no choice in where to live or with who about his abilities Riding the Special Ed bus Always having a caregiver or aide Predetermined schedules/no choice · Having no accountability for his looking over his shoulder (no fading Unhealthy/sickness of support) Being segregated and seduded Dependence on only paid supports People being over-protective · Not being given enough time to Loneliness warm up to a situation before it Boredom was abandoned

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Being controlled or having choices made for him

· Not being allowed to take risks in

order to learn

TN Center for Decision-Making Support

Supported DecisionMaking Plan



Sample Decision-Making Plan

My n	ame is:				
	y's date is:				
	ddress is:				
	hone number is:				
My email address is:					
I wan suppo suppo This i decisi to ma	t people to help me make decisions. The people who will help me are called vters. I can say what kind of help my supporters will give me. My vters will give me the support I need and want to make my own decisions. means my supporters will help me understand the situations I face and the ions I have to make. This document does not give my supporters permission ke decisions for me. I can stop this agreement at any time. My supporters op their agreement at any time.				
	<u>Supporters</u>				
	apporter(s) are:				
Supp	orter #1				
Name	::				
Addre	ess:				
Phone	e number:				
Emai	address:				
I wan	t this person to help me with (check all that apply):				
	Making choices about food, clothing, and where I live				
	Making choices about where I work and where I go to school Making choices about how I spend and save my money Making choices about legal matters Other (please specify):				
Areas	I don't want Supporter #1 to assist with:				
Suppo	orter #2 (optional)				
Name					
Addre					
	number:				
	address:				
	this person to help me with (check all that apply):				
	uns person to nelp me with (check an than apply). Making choices about food, clothing, and where I live Making choices about my health Making choices about how I spend my time				
	Making choices about where I work and where I go to school				
	Making choices about how I spend and save my money				

	Signature of Supporter(s)
understand that my job a support might include gi discussing pros and cons choices. I know that I m	's supporter under this agreement. I as a supporter is to honor and express their wishes. My wing this person information in a way they can understand; so of decisions; and helping this person communicate their any not make decisions for this person. I agree to support to the best of my ability, honestly, and in good faith.
Signature of Supporter #	f1:
Printed name:	
Date:	
Signature of Supporter #	22 (if any):
Printed name:	
Date:	
Signature of Supporter #	3 (if any):
Printed name:	



Questions?







The Arc Tennessee

Penny Johnson

TN Center for Decision-Making Support

Program Director

Email: pjohnson@thearctn.org

Call: (615) 248-5878, Ext. 322

Breanna Atwell

TN Center for Decision-Making Support

Transition Coordinator

Email: <u>batwell@thearctn.org</u>

Call: (615) 248-5878, Ext.327

Thank You!!

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The TN Center for Decision-Making Support does **not** provide legal advice.

If you need legal advice, we recommend you seek legal counsel.

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