

SUPPORTED DECISION MAKING

Supported decision making (“SDM”) helps people with disabilities or cognitive impairments (“decisionmakers”) make choices about their lives with the help of people they trust (“supporters”).

What can supporters do?

- Collect information
- Explore options
- Explain risks and benefits
- Give guidance and recommendations
- Help carry out decisions



HOW IS SDM DIFFERENT?

- Preserves rights
- Does not give authority to supporters to act for decisionmaker
- Can be informal or formal

CRITERIA FOR SDM

- Must have a trusted supporter
- Must have some capacity to advocate for themselves
- Most beneficial where the person may increase or maintain their current capacity

BENEFITS

- Preserves rights
- Can increase capacity through practice
- Increased confidence, independence, and happiness

WHAT IS INCLUDED IN FORMAL SDM AGREEMENTS?

- Decisionmaker’s information
- Areas where the decisionmaker may require support
- Supporters’ information
- Option for decisionmaker to end the agreement at any time
- Signatures of the decisionmaker and the supporters
- Notarization (recommended)



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WHEN SHOULD DECISION-MAKING OPTIONS BE CONSIDERED?

Decision-making options are important when someone struggles or is unable to make decisions for themselves. Reduced decision-making ability can stem from developmental disability, brain injury due to accident or illness, mental health conditions, or conditions related to aging like Alzheimer's or dementia. Having the right support in place can help the person meet their needs while retaining their rights.

DECISION-MAKING OPTIONS

SUPPORTED DECISION-MAKING

Person retains the ability to make decisions for themselves with the help of supporters to help them understand, consider, and communicate decisions.

It can be used in conjunction with other legal documents like a Power of Attorney or Health Care Surrogate designation as necessary.

HEALTH CARE SURROGATE DESIGNATION

Grants someone the power to make healthcare related decisions on another person's behalf. If a person becomes unable to make decisions and a healthcare surrogate is not designated, a healthcare proxy will be named in accordance with Florida law.

POWER OF ATTORNEY

Grants someone the ability to make decisions on another person's behalf. It can be limited or broad, covering decisions regarding finances, property, healthcare, legal matters, and others.

TRUSTS

Allows someone (a "trustee") to manage money or property for another person (the "beneficiary").

REPRESENTATIVE PAYEE

Directs payment of benefits, like Social Security, to the "representative" to manage on the person's behalf.

GUARDIAN ADVOCACY

Available to adults with developmental disabilities who lack capacity to make some, but not all, decisions. A guardian advocate is appointed to make decisions on the person's behalf.

GUARDIANSHIP

A last resort for those who have been found totally incapacitated by a court. A guardian is appointed to exercise certain rights on behalf of the individual and others are completely removed.

← Less Restrictive

More Restrictive →