



Supported Decision Making

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According to Article 12 – Equal recognition before the law



1. States Parties reaffirm that persons with disabilities have the right to recognition everywhere as persons before the law.



2. States Parties shall recognize that persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life.



3. States Parties shall take appropriate measures to provide access by persons with disabilities to the support they may require in exercising their legal capacity.





4. States Parties shall ensure that all measures that relate to the exercise of legal capacity provide for appropriate and effective safeguards to prevent abuse in accordance with international human rights law.



4. Cont.

Such safeguards shall ensure that measures relating to the exercise of legal capacity respect the rights, will and preferences of the person, are free of conflict of interest and undue influence, are proportional and tailored to the person's circumstances, apply for the shortest time possible and are subject to regular review by a competent, independent and impartial authority or judicial body. The safeguards shall be proportional to the degree to which such measures affect the person's rights and interests.



5. Subject to the provisions of this article, States Parties shall take all appropriate and effective measures to ensure the equal right of persons with disabilities to own or inherit property, to control their own financial affairs and to have equal access to bank loans, mortgages and other forms of financial credit, and shall ensure that persons with disabilities are not arbitrarily deprived of their property.



What Is Supported Decision-Making?

Supported decision-making (SDM) is “a series of relationships, practices, arrangements and agreements of more or less formality and intensity designed to assist an individual with a disability to make and communicate to others decisions about the individual’s life.”

– Robert Dinerstein (2012)

Introducing... Supported Decision Making



- Getting Ready for When Teens Reach the *Age of Majority*
- Getting Ready for *Healthcare* decision making
- Getting Ready for *Managing Finances* decision making
- Getting Ready for *Independent Living* decision making

Getting Ready for Supported Decision Making

The age when children become legal adults and have the right to make informed decisions



Decisions regarding:

- Education
- Voting
- Marriage
- Money
- Binding contracts (e.g., leases, loans)
- *And so much more!!!!*

Getting Ready for Supported Decision Making

It's a
process,
not an
outcome!

- Getting ready takes *preparation*
- It's important to *start early* learning decision-making skills
- Who's in the young person's *circle of support*? Parents, teachers, family, others...

All can help the young person develop skills in decision making!



SAFE

FREE

Protection

Support

Information

Experience

Choice



Elementary

- Person-centered planning
- Experience in problem solving

Middle/High

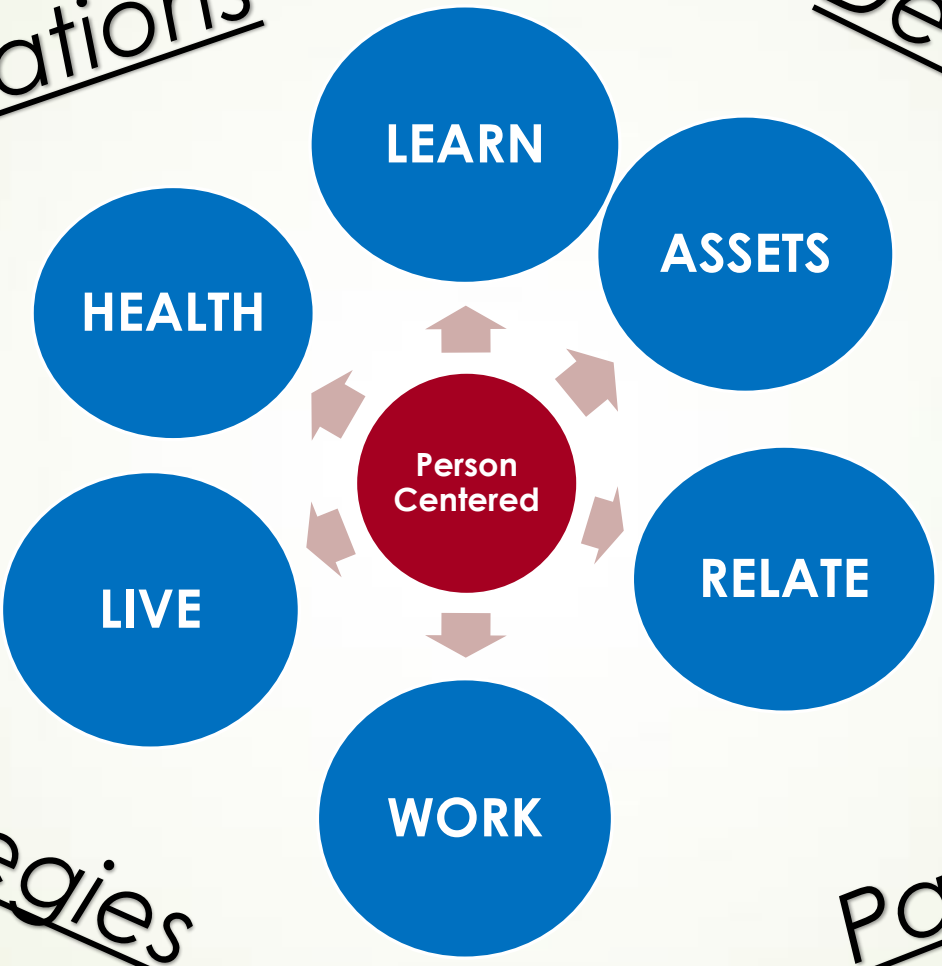
- Self-Advocacy
- Legal/Illegal
- Safe/Unsafe
- Shared decisions

After High

- Manage money
 - Get a job
 - Live in community
 - Life-long learning
-

Implications

Decisions



Strategies

Partners

Parent Centers Engage with Youth and Parents

They help them...

- Choose what they prefer
- Decide which strategy works best
- Decide what information they need
- Decide what information to share
- Decide when and how to act
- Choose high school classes or partners



- Lead the IEP process
- Set goals and make plans to achieve
- Recognize limits and manage risks



Timing is important

Adolescence (10-19) is a critical time

- Increased social pressure
- Poor decisions now can potentially impact youth for a long time

Start early

Teaching self-determination and self-advocacy skills will...

- Help the young person make informed decisions and choices
- Enhance engagement
- Improve student outcomes

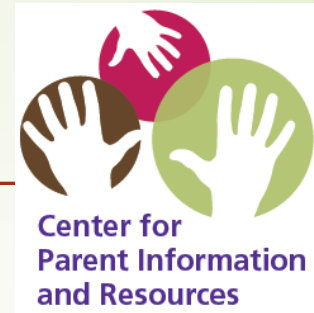


Legal Support for Implementation

- ▶ North Dakota has named a task force to identify issues and inform legislators about supported decision making needs in the state



Questions?
Comments?



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