

Vermont: Collaborating to Educate Self-Advocates about Alternatives to Guardianship

Background

Alternatives to guardianship are important tools to empower individuals with intellectual and/or developmental disabilities (IDD) to control the decisions that affect their lives. However, many individuals with IDD and their supporters are more familiar with guardianship than with the alternatives. Also, people without legal training may lack confidence in using available legal tools. As a result, Vermont's statewide self-advocacy organization, Green Mountain Self-Advocates (GMSA), is partnering with the Vermont Disability Law Project to organize legal clinics for people with IDD. At these legal clinics, individuals who have a guardian can have a free, confidential session with a lawyer. Before attending the legal clinics, individuals who have guardians typically attend a training and discussion about guardianship, co-facilitated by lawyers and self-advocates. In many cases, this has enabled self-advocates to get high-quality, easy-to-understand information about alternatives to guardianship they might not get anywhere else.

Implementation

Every year since 1998, GMSA hosts the "Voices and Choices" conference on self-advocacy. Voices and Choices provides an opportunity for Vermonters with IDD, their families, providers, and allies to collectively learn about decision-making, self-advocacy, and relationships. For the past three years, GMSA has invited the Vermont Disability Law Project to its annual statewide self-advocacy conference to hold workshops for self-advocates with guardians about their options for ending or changing their guardianships. Typically, GMSA hosts a workshop about guardianship and alternatives in the morning and legal clinic consultations in the afternoon. Often the workshop includes a self-advocate who once had a guardian and went through the process of ending their guardianship. Several times, a family member has joined the self-advocate presenter to share their perspective on terminating guardianship.

Lawyers hold legal clinics in private rooms. The lawyer meets with an individual for a 25-minute initial session and can schedule follow-up consultations if needed. All self-advocates who attend the morning guardianship workshop have an opportunity to schedule appointments. The conference program

"One of the gaps we have seen is just that not enough people with disabilities know about alternatives to guardianship. A lot of it has to do with not enough is being really taught about this out there. And also, the information, if any, about guardianship and anything around it is not accessible enough for people with disabilities to understand. So, like it's kind of like two barriers in one."

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includes a description of the legal clinic. A peer leader stationed outside of the meeting rooms coordinates people going to their appointments. They greet people and answer questions about the conference, guardianship, and any other topics people bring up. For a more detailed description of the workshop and legal clinic, read the workshop description below.

Impact

GMSA and Vermont Disability Law Center work hard to create a safe space for people to share their experiences and concerns about guardianship during these group information sessions. However, sometimes there are feelings of shame associated with having a guardian, which can make it difficult for a person to talk about their relationship with a guardian. Thus, a private, confidential session with a lawyer is particularly helpful for people who may be reluctant to ask questions during a group session.

GMSA and Vermont Disability Law Center's efforts help to put easy-to-understand information about guardianship alternatives within self-advocates' reach. In this way, they are simultaneously tackling two interrelated barriers: 1) many self-advocates do not know about alternatives to guardianship and 2) information relating to guardianship is not accessible to self-advocates.

Suggestions for Replication

- Collaboration between self-advocacy organizations and legal aid providers can help to facilitate support and information for self-advocates about guardianship alternatives.
- Such workshops can be incorporated into pre-existing state or regional self-advocacy conferences.
- Incorporating private legal consultation into conference workshops allows for personalized, accessible legal advice with opportunities for follow-up support.

Sample workshop description that includes the legal clinic option:

Workshop Title: Do You Want to Be Your Own Guardian?

Description: Our workshop will explain what a guardian is, why a guardian might be appointed, and what else can be done to support individuals in making their own decisions. We will also offer help with solving some of the problems that lead to guardianship. A self-advocate will share their story about how they became their own guardian.

Legal Clinics

Description: For Self-Advocates—A free, private, confidential session with a lawyer. You will have a chance to spend 25 minutes with a lawyer to answer questions and get advice about how to address personal concerns about guardians. The lawyers work for the Disability Law Project.

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