SUPPORTED DECISION MAKING VS. GUARDIANSHIP AND CONSERVATORSHIP

WHAT'S THE DIFFERENCE?

Guardianship, conservatorship, and, more recently, supported decision making are different models for helping people living with disabilities in managing their lives. Here's how the three approaches compare.

	SUPPORTED DECISION MAKING	GUARDIANSHIP	CONSERVATORSHIP
RIGHTS & AUTONOMY			
A person keeps their legal rights They can still make legally binding decisions	✓	✗	✗
A person is assumed capable No court finding of incapacity needed	✓	✗	✗
A person is in control of their choices A person decides most of their own medical, financial, and personal matters.	✓	✗	✗
Meets the UN standard (CRPD Article 12) Equal legal recognition for people with disabilities	✓	✗	✗
PROCESS & LEGAL STEPS			
No court order needed Can be set up informally or with a written agreement	✓	✗	✗
Easy to change or end A person can update or cancel at any time	✓	✗	✗
Low cost to set up No legal proceedings or attorney required	✓	✗	✗
Requires court finding of incapacity Formal legal process to establish authority	✗	✓	✓
Covers personal matters only Manages personal, daily, and medical care, not financial decisions.	✗	✓	✗
Covers financial matters only Manages assets and finances, not personal decisions.	✗	✗	✓