Common Myths about Guardianship

### Myth: I was told I had to get guardianship
- Parents are never mandated to get guardianship when their child turns 18.
- There are several alternatives to guardianship, like Supported Decision Making, that are free or low cost AND protect the rights of the person with a disability.

### Myth: All people with DD need guardians
- The overwhelming majority of people with developmental disabilities (DD) don't need a guardian, but we all need help making decisions.
- People need guardians only when all less restrictive options have been explored and are determined to be inappropriate for the individual.

### Myth: If I'm not the guardian, no one will talk to me
- Powers of Attorney (POAs) or a signed consent to exchange information can be executed to allow anyone to be in the room whom the person with a disability wants there.
- POAs can be customized to detail who should be involved and how they are to be included.

### Myth: Guardians prevent people from being abused
- Just having a guardian does nothing to prevent abuse, but having an active support network who communicates does. A Supported Decision Making team can fill this role.
- People who have greater self-determination (e.g., are empowered to make their own choices) are less likely to be abused or exploited.

### Myth: It won't hurt to put guardianship in place
- Guardianship is expensive and restricts rights, including the right to vote, which can limit life options and self-determination.
- Once a guardian is in place, someone always needs to be in that role, so future guardians are critical. It can be difficult and expensive to undo guardianship.

### Myth: If I am the guardian, my child cannot be arrested
- Guardianship provides no protections against arrest or incarceration.
- Guardians are given no special rights to speak or advocate at criminal hearings.

### Myth: People with guardians can't be financially harmed
- If money is taken away in a scam, guardianship does nothing to recover those lost funds.
- Low cost tools like POAs, Special Needs Trusts, and ABLE Accounts can protect money and assets without removing rights.

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