

Alternatives to Guardianship Resources

The following are common alternatives to guardianship that should be considered before determining that guardianship is necessary.

Main question you should ask yourself as a parent is my child competent to give permission to use any of the following other options:

- Power of Attorney- A power of attorney is a document that allows someone else to act as your legal agent. There are many types of Power of Attorney options
https://www.ncleg.gov/enactedlegislation/statutes/pdf/bysection/chapter_32c/gs_32c-3-301.pdf
- Durable Power of Attorney- A durable power of attorney simply means that the document stays in effect if you become incapacitated and unable to handle matters on your own. (Ordinary, or "nondurable," powers of attorney automatically end if the person who makes them loses mental capacity.) <https://powerofattorneyforms.com/nc/north-carolina-durable-financial-power-of-attorney-form/>
- Health Care Power of Attorney- North Carolina Health Care Power of Attorney Form. ... North Carolina Health Care Power of Attorney Form, under § 32A-25.1, is a legal form that allows a resident to appoint another person, usually, someone close to them, to act on their behalf to make medical decisions on their behalf.
https://www.ncleg.gov/EnactedLegislation/Statutes/PDF/BySection/Chapter_32A/GS_32A-25.1.pdf
- Advance Instruction for Mental Health- is a legal tool that allows a person with mental illness to state their preferences for treatment in advance of a crisis. They can serve as a way to protect a person's autonomy and ability to self-direct care.
<https://www.nrc-pad.org/images/stories/PDFs/north%20carolinastatute.pdf>
- Supported Decision Making Agreement- A supported decision making agreement (SDMA) is a process initiated by a person with a disability to assist that person with making decisions in one or several key areas of life. The agreement is recorded as a written document
http://fifnc.org/programs/SDMA_Agreement.pdf.
- Representative Payee for Social Security Benefits- provides benefit payment management for our beneficiaries who are incapable of managing their Social Security or Supplemental Security Income (SSI) payments. <https://www.ssa.gov/payee/>