

## **Transition to Adulthood: Adult Guardianship**

### **General Information:**

- Parents are legal guardians of their child until they turn 18. Every person is a legal adult at the age of 18. An adult can make their own choices about important issues.
- Some adults with a cognitive disability may not understand information well. This could keep them from making choices that are in their best interests.
- If an adult is not able to make choices about medical, legal or money issues, a guardian may be needed.
- During the teen years, you should start thinking about whether your child will need a guardian. Many adults with disabilities can make choices with support.
- Use the resources below. You can also talk with your child's teacher, health care provider and other parents about your options.

### **If an adult needs a guardian:**

- Contact your doctor, social worker or county human services department. Ask about the guardianship process.
- Most people hire a lawyer to help them.
- The adult will need to have a competency evaluation. This is done by a doctor, psychiatrist, or psychologist. This report tells the court about how well the adult makes choices. It is only good for 6 months before the court hearing.
- A court hearing is done to complete the process.

### **Resources for adult guardianship:**

- Aging and Disability Resource Center (ADRC). [dhs.wisconsin.gov/adrc/index.htm](http://dhs.wisconsin.gov/adrc/index.htm). This site will let you know if you can get help from your county.
- Children's Hospital of Wisconsin (CHW) Guardianship Clinic. Call (414) 266-3465 to see if your adult child qualifies for this clinic.
- Wisconsin Regional Centers for Children & Youth with Special Health Care Needs. Gives other referrals, lists of lawyers who know about guardianship, and information about the process. [dhs.wisconsin.gov/cyshcn/regionalcenters.htm](http://dhs.wisconsin.gov/cyshcn/regionalcenters.htm)
- Wisconsin Court System. You will be able to get adult guardianship paperwork at this site. <http://wicourts.gov/forms1/circuit.htm#guard>.
- Competency Evaluation form. You can see and print the form at this site. <http://wicourts.gov/formdisplay/GN-3130.doc?formNumber=GN-3130&formType=Form&formatId=1&language=en>.
- Wisconsin Guardianship Support Center. A statewide resource center staffed by lawyers. Call (608) 224-0606 or (800) 488-2596; e-mail: guardian@cwag.org.
- Wisconsin State Bar. [www.wisbar.org/forpublic/INeedaLawyer/pages/i-need-a-lawyer.aspx](http://www.wisbar.org/forpublic/INeedaLawyer/pages/i-need-a-lawyer.aspx). (800) 362-9082.

**This teaching sheet is meant to help you care for your child. It does not take the place of medical care. Talk with your healthcare provider for diagnosis, treatment, and follow-up.**