

## Decision-Making, You, and the Law

In Texas, *you become an adult at age 18*. This means you must make your own decisions. You may want someone to help make decisions with you. This page does not give legal advice, but it lists legal documents that help adults make decisions. Keep in mind that you can generally change your mind after signing any of these documents, but you may want to talk to a lawyer before you sign.

### For All Adults...

An **Advance Directive** allows you to say *what* medical care you want if you become unable to make decisions for yourself. In general, there are three types in Texas: Directive to Physician (living will), Declaration of Mental Health Treatment, and Out-of-Hospital Do Not Resuscitate Order.

A **Medical Power of Attorney** allows you to say *who* you want to make medical decisions for you if you become unable to make them.

### For Adults Who Want or Need Someone to Help Them...

(1) You can choose to *share* decision-making with a parent or another willing adult.

A **Supported Decision-Making Agreement** allows someone to help you understand your choices, what you must do, and what might happen later. This person *cannot* make decisions for you.

(2) You can choose to *give* decision-making duties to a parent or another willing adult.

A **Power of Attorney** (POA) allows another person to make some decisions for you. You can also make decisions for yourself. Some people want a POA for only some types of decisions, like those about money, school, or childcare.

There are many other ways someone can help you also. For example, you can:

- share a bank account to get help using your money.
- ask someone to go to doctor's appointments with you.
- have someone get and budget your money for you if you get Supplemental Security Income (SSI).
- invite a parent to meet with teachers if you receive Special Education services.

### For Adults Who Cannot Make Decisions for Themselves...

**Guardianship** makes a parent or another adult the sole decision-maker for you. The person not able to make decisions is called a "ward." Guardianship is used only if the "ward" is unable to make decisions without help. This may be because of mental, thought, or medical problems. Guardianship must include a court visit, payment of a fee, keeping records of money spent, and giving yearly reports. Guardianship is used only when other help has failed or is impossible, which must be proved to a judge.

Even if guardianship is not needed now, you may wish to say who you want to be your guardian in the future. This form is called a **Designation of Guardian in Advance of Need**. If you are a parent, you may also wish to say who you want to be your child's guardian in case you become unable to take care of your child. (Note: For children, this would take effect only if the other parent is not able to care for the child.)

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*So, what's next? If you would like legal help, ask your doctor or nurse to help you reach Austin Medical-Legal Partnership. A lawyer will call you and provide free legal help. They may also be able to help with other life choices you must make.*