

# Guardianship Alternatives

Since guardianship takes away a person's power to make their own decisions, it should be used as a last resort. All alternatives to guardianship *MUST* be explored before a judge can appoint a guardian.

## Advance Directives

Advance Directives are legal documents where a person can express their wishes and choose others to make decisions on their behalf.

- [New York Attorney General's Page on Advance Directives](#)
- [Planning for the Future](#) (plain language guide by the Center for Urban Pedagogy)

## Finances

There are several tools available to help a person manage their finances. Below are a few options and some general financial tips:

- [Social Security Representative Payee Program](#)
- [VA Fiduciary Program](#)
- [Senior Legal Services' FAQs on Powers of Attorney](#)
- [New York Short Power of Attorney Form](#) (provided by Jefferson County)
- [List of Public Benefits in New York State](#)
- [Financial Planning Tips & Guides](#) (Consumer Financial Protection Bureau)

## Communication Barriers



### Incapacity

Disabilities, hearing loss, motor speech disorders, and cognition are just some factors that can affect the way someone expresses decisions. Appropriate accommodations depend on the person's needs.

Examples include:

- Sound amplification devices
- Communication boards
- Not interrupting
- Yes/No questions
- Pausing to confirm understanding
- Removing noise or other distractions
- Talking at a certain time of day
- Looking (or not looking) at the person while they are thinking/communicating

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## Locating Legal Services

- [New York State Bar Association's Lawyer Referral Service](#)
- [LawHelp Search for Free Services](#)
- [Planning for the Future](#) (plain language guide by the Center for Urban Pedagogy)

## Mental Health Resources

- [New York State Office of Mental Health \(OMH\) Resource List](#)
- [Mental Health Program Directory](#)
- [Mental Hygiene Departments by County](#)
- [The National Alliance of Mental Illness](#) (NAMI NY State)
- [Mobile Crisis Teams](#)

## Community Programming

Various community programs can help meet a person's needs. For example, older adult centers, caregiver support, job support, transportation, and case management. There are online hubs, helplines, and government agencies that can connect people to this programming:

- [NY Connects](#)
- [Local Aging Offices \(Area Agencies on Aging\)](#)
- [Office for People with Developmental Disabilities](#)

## Health Care

Health care planning can include legal forms, state law provisions, and understanding your options. Below you can also find resources to help patients and families understand the complex topics of planning and insurance.

- [Medical Orders for Life-Sustaining Treatment \(MOLST\)](#)
- [Overview of the Family Health Care Decisions Act](#)
- [Independent Consumer Advocacy Network](#) (free assistance and information about insurance options and managed care plans)
- [Health Care Proxy Form and Guide](#)
- [Living Will Form](#)
- [Appointment of Agent to Control Disposition of Remains](#)
- [Planning for the Future](#) (plain language guide by the Center for Urban Pedagogy)
- [Deciding about Health Care: A Guide for Patients and Families](#) (NYS DOH)

