

TASH Resolution on Alternatives to Guardianship

Statement of Purpose

Guardianship represents, at best, a removal of fundamental rights and a lifelong diminution of a person's basic control over his or her own life. Guardianship is, at its core, incompatible with real self-determination and full citizenship, and is therefore incompatible with the principles of TASH.

Rationale

- Every person can make choices and has a right to make decisions.
- People who are identified as having a cognitive or intellectual disability or who have difficulty in communicating may express those preferences/choices/decisions in non-traditional ways.
- Any legal system or proceeding which deprives an individual of her/his right to be accommodated and supported in choosing and making decisions and which appoints a substitute decision-maker based on tests of competence, makes that person vulnerable, and deprives him/her not only of her/his rights to self-determination, but also of other rights that should be inalienable.

THEREFORE BE IT RESOLVED that TASH, an international advocacy association of people with disabilities, their family members and other advocates, and people who work in the disability field affirms the rights of persons with disabilities and commits to the promotion and use of alternatives to guardianship rather than the removal of said rights. TASH urges the development and promotion of the use of accommodations and supports people need to

make choices and decisions, to have their preferences recognized and honored, and to have their rights to self-determination protected.

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