

Transition to Adulthood: Adult Guardianship

General Information:

- Parents are the legal guardians of their child until the child reaches the age of 18. After turning 18, every person is legally an adult. An adult is expected to make their own choices about important issues.
- Some adults with a cognitive disability may not be able to 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 and/or money issues, a guardian may be needed.
- During the teen years, you should start thinking about whether your child will need a guardian.
- Use the resources below, talk with your child's teacher, health care provider and other parents to explore your options.

If an adult needs a guardian:

- Contact your doctor, social worker or county about the guardianship process.
- Most people hire a lawyer to help them through the process.
- The adult will need to have a competency evaluation. This is done by a doctor, psychiatrist, or psychologist. The purpose of the evaluation is to give the courts information about an adult's ability to make choices. This evaluation is only good for 6 months before the court hearing.
- There will be a court hearing to complete the process.

Resources for adult guardianship:

- Contact your local Aging and Disability Resource Center (ADRC). <http://dhs.wisconsin.gov/LTCare/Generalinfo/RCs.htm>. This site will let you know if help is available through your county.
- Children's Hospital of Wisconsin (CHW) Guardianship Clinic. Call (414) 266-3465 to see if your adult qualifies for this clinic.
- Wisconsin Regional Centers for Children & Youth with Special Health Care Needs. Provides other referrals, lists of lawyers who know about guardianship, and information about the process: <http://dhs.wisconsin.gov/health/children/resourcecenters/index.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. A copy of this form can be viewed at this site: <http://wicourts.gov/formdisplay/GN-3130.doc?formNumber=GN-3130&formType=Form&formatId=1&language=en>.
- Wisconsin Guardianship Support Center. This is a statewide resource center. It is staffed by lawyers: (608) 224-0606 or (800) 488-2596; e-mail: guardian@cwag.org.

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.