This Guide explains some of the legal rights of adults in Florida and what they mean for persons with developmental disabilities. It also lists some of the many supports and legal strategies available to support your child in making adult decisions.

WWW.SUPPORTINGCHOICES.ORG
WWW.FDDC.ORG
WWW.GUARDIANTRUSTS.ORG

Considering Guardianship?
Consider ALL of the Options
Turning 18 is an exciting time for your child to make decisions about the future. He or she will make decisions about schooling, managing money and where to live. Your adult child may want to find a new doctor or a new apartment. Some parents become anxious and concerned for their children’s safety when they think about all the things their child will need to learn. Your child may want to find a new job or take college courses. Do you want to get more education? There are many new programs available, including some that help pay for college.

The right to make educational decisions

- Educational Power of Attorney, which is a resource that is authorized to manage activities in an educational setting such as registration activities, completing assignments, signing forms, etc.
- Power of attorney to sign contracts and leases
- Educational Power of Attorney
- Direct deposit

The right to manage money and property

- Consider a joint account—then either of you can sign the checks.
- Leases and contracts
- Special Needs Trust
- Consider a power of attorney so that you can sign contracts for your child if he or she is unable to do so.
- Direct deposit
- Power of attorney
-emit kinds of money safely, and still receive federal assistance.
- Joint account

The right to work

- Connect your child with job coaches or transitions specialists
- Encourage your child to visit different workplaces to see what they like.
- Direct deposit
- Power of attorney

The right to a place to live

- There are many things to think about when choosing a place to live, budget, safety, access to public transportation, special accommodations, etc.
- Sign a lease for your child if he or she is unable to do so.
- Credit report
- Direct deposit

The right to sign contracts and leases (for cell phones, cable TV, apartments, etc.)

- Signing a contract or lease comes with responsibilities: to follow the lease agreement.
- Examine the consequences of breaking the lease or contract: Consider asking your child to grant you power of attorney so that you can sign contracts for your child if he or she is unable to do so.
- Credit report

The right to sue and be sued

- Always try to hire a lawyer if you are involved in a lawsuit.
- Your child is no longer under the protection of a parent once they turn eighteen.
- Direct deposit
- Power of attorney

The right to move

- Your adult child may marry anyone of their choosing. The laws governing marriage are different in each state. Your child needs to have a Florida ID or birth certificate to register to vote.
- Your child can make you a “medical proxy” if he or she understands how to make medical decisions. Both a medical proxy and health care surrogate can access medical information and apply for public benefits.
- Your child can make you a “health care surrogate” if he or she understands how to make medical decisions. Your child may want to have a “medical proxy” if you cannot understand how to make medical decisions. Your child can make you a “health care surrogate” if he or she understands how to make medical decisions. Your child can make you a “health care surrogate” if he or she understands how to make medical decisions.

The right to marry

- Your adult child may marry anyone of their choosing. The laws governing marriage apply equally to persons with disabilities.
Turning 18 is an exciting time for your child to make decisions about the future. We hope you or she will make decisions about getting an apartment, managing money, and where to live. Your adult child may want to feel a new adult or you may not. Some parents become anxious and concerned for their children’s safety when they think about all the changes that could happen when their children turn 18. This may be even more important that you and your child are prepared as possible for the transition from childhood to adulthood.

**LEGAL RIGHTS:** Before children are 18, their parents are their legal guardians, and can make all decisions for them. When children turn 18, they can become legal adults with 18 077 rights. There are some of the rights that apply to people who are 18 and older.

- The right to choose a place to live
- The right to work
- The right to manage money and property
- The right to sign contracts and leases
- The right to sue and be judged

### LEGAL RIGHTS: SUPPORTS AND INFORMATION TO DISCUSS WITH YOUR ADULT CHILD

**The right to make educational decisions**

- Educational Power of Attorney, which is a resource that is authorized to manage activities in an educational setting such as registration activities, completing forms, etc.

**The right to manage money and property**

- Consider a joint account: than either of you can sign the checks.
- Direct deposits and online banking save time and trouble. Your child will make fewer trips to the bank.
- A Special Needs Trust can be set up - to invest certain kinds of money safely, and still receive federal assistance.

**The right to work**

- Connect your child with job coaches or transition specialists.
- Encourage your child to visit different workplaces to see what they like.

**The right to a place to live**

- There are many things to think about when choosing a place to live. budget, safety, access to public transportation, special accommodations, etc.
- Check online at the Florida Developmental Disabilities Council www.fddc.org for resources like A Place Where I Belong, Housing in Florida, and A Personal Budget, etc.
- Always try to hire a lawyer if you are involved in a lawsuit.

**The right to sign contracts and leases**

- Signing a contract or lease comes with responsibilities: to drive, live, and still receive federal assistance.
- Encourage your child to visit different workplaces to see what they like.

**The right to sue and be judged**

- Always try to hire a lawyer if you are involved in a lawsuit.
- Your child is no longer under the protection of a parent once they turn eighteen in Florida.
- Explain that not paying monthly bills can end up in a lawsuit.

### LEGAL RIGHTS: SUPPORTS AND INFORMATION TO DISCUSS WITH YOUR ADULT CHILD

**The right to choose your own doctor, dentist, and the medicines to take**

- Your child may want to select a new doctor. Remember that this is his or her adult, they may offer advice that is supportive of the decision.
- You can become a “medical proxy” if your child cannot understand how to make medical decisions.
- Your child can make you “health care surrogate” if he or she understands how to make medical decisions.
- A medical proxy can give instructions to your child's doctor and direct health care surrogate can access medical information and apply for public benefits.

**The right to apply for governmental benefits**

- If your child wants you durable power of attorney (DPOA), you can make medical decisions if he or she is unable to communicate.
- If needed, you can become representative payee to manage the cash benefit for your child's behalf.

**The right to vote**

- Your child needs to have a Florida Driver's license or birth certificate to register to vote.

**The right to travel**

- Help your child set goals that are realistic. Here are some websites with information helpful when traveling with a disability.
- www.independenttraveler.com/travel tips/senior-travel/disabled-travel
- www.disabled-world.com/travel

**The right to choose your social life**

- Social environment includes friends, life-style, religious belief, etc.

**The right to marry**

- Your adult child may marry anyone of their choosing. The laws governing marriage apply equally to persons with disabilities.

### MAKING DECISIONS ABOUT WORK AND SOCIAL LIFE

Help your child set goals that are realistic. Here are some questions you can ask when talking to your child about work and living arrangements:

- What things do you like to do? Work? Have a hobby? Work in an office?
- What are you good at? Cooking? Working with computers?
- Do you have to go to work? Need a car? Can you drive?
- Do you need to save for certain jobs?
- Do you need to take care of your work and support people?
- Do you want to get insurance coverage? There are many new programs available, including some that help you take college courses.

### CIRCLES OF SUPPORT

Most young people ask for advice and guidance from their parents when making important decisions. But they can also benefit from advice and assistance from many other people. These other people are your adult child’s “circle of support.”

People in the circle of support should know your child well; understand theirlikes and interests; know their strengths and capabilities; and support them to become more independent. Circles of support can include:

- Health care surrogate
- Medical proxy
- Guardianship
- More restrictive
- Less restrictive

- Legal advocacy
- Professional care and support
- More restrictive
- Less restrictive

### KEEPING SAFE

Listen to your adult child, and look for signs of abuse, neglect or exploitation.

- Abuse is when someone bullies, threatens, or hurts someone.
- Neglect is when someone is not taking good care of someone, like not feeding them well, or not keeping the house clean— that's how they are supposed to be helping someone.
- Exploitation is when someone is trying to get someone else to do something that isn't good for them, like taking their money and not returning it, or trying to make them do something sexual that they do not want to do.

**Internet Exploitation:** is a danger for everyone. Don't give out addresses, phone numbers, social security numbers, bank cards, or any other personal information unless you know it is safe. These are some safe sites: job applications, government benefits, online stores like Amazon and Ebay.

### SOMETIMES YOU SHOULD KNOW ABOUT LEGAL GUARDIANSHIP

- In the past, many parents became legal guardians of their disabled children when they turned 18.
- Now many parents and support people turn to Less Restrictive Alternatives. For more information, go to www.supportingchoices.org or fddc.org.
- When a parent is awarded a legal guardian, all or some of their rights are taken away by a judge and given to the guardian.
- For a person to get their rights back, they have to go to court and show they are able to take care of things for themselves.
- Guardianship is an expensive process.
- If someone in your child’s circle of support suggests guardianship, ask if there are better choices.
Turning 18 is an exciting time for your child to make decisions about the future. He or she will make decisions about schooling, managing money and where to live. Your adult child may want to live a new apartment or a new room. Some parents become anxious and concerned for their children’s safety when they think about all the new things their children will have to do. Here are some of the things you can do to help your child as they start to take on these responsibilities.

LEGAL RIGHTS

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The right to choose a place to live

- There are many things to think about when choosing a place to live: budget, safety, access to public transportation, special accommodations, etc.
- Check online at the Florida Developmental Disabilities Council www.fddc.org for resources like A Place Where I Belong, Housing in Florida, and A Personal Circle Support.

The right to sign contracts and leases (for cell phones, cable TV, apartments, etc.)

- Signing a contract or lease comes with responsibilities: to pay a monthly bill on time.
- Explain the consequences of breaking the lease or contract. Consider asking your child to grant you power of attorney so that you can sign contracts for your child if he or she is unable to do so.
- Examine about credit ratings, which is important in getting a loan to buy a car, a big TV, or a home.

The right to sue and to be sued

- Always try to hire a lawyer if you are involved in a lawsuit.
- Your child is no longer under the protection of a parent once they turn eighteen in Florida.
- Explain that not paying monthly bills can end up in a lawsuit.

LEGAL RIGHTS SUPPORTS AND INFORMATION TO DISCUSS WITH YOUR ADULT CHILD

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Keeping safe

Listen to your adult child, and look for signs of abuse, neglect or exploitation.

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Making decisions about work and social life

Help your child set goals that are realistic. Here are some questions you can ask when talking to your child about work and living arrangements:

- What does your child want to do?
- What are the work and living arrangements that make the most sense for your child?
- What are your other options?
- What is the most protective arrangement for your child?
- Do you need to find certain work for your child?
- Do you need to take care of your child’s work and support people?
- Do you want to get insurance coverage?
- How do you think your child should live their life?
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PARENT GUIDE TO LEGAL RIGHTS

This Guide explains some of the legal rights of adults in Florida and what they mean for persons with developmental disabilities. It also lists some of the many supports and legal strategies available to support your child in making adult decisions.

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