

Making Alternatives a Reality in North Carolina

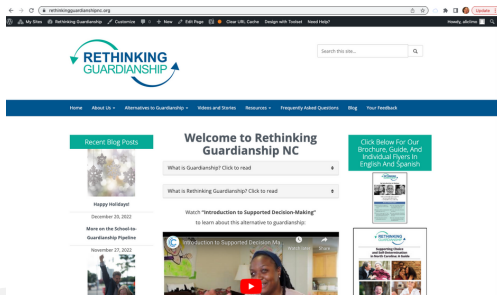


Final Report * July 1, 2020 to June 30, 2023

By All Indicators, a Resounding Success for Collective Impact

Rethinking Guardianship NC is a Collective Impact initiative that began in 2015. The Common Agenda is: To promote less restrictive alternatives to guardianship; and, to effect long-term changes in North Carolina's guardianship system. *Making Alternatives a Reality in North Carolina (MAR-NC)*, was a three-year project (2020-2023) funded by the North Carolina Council on Developmental Disabilities (NCCDD). The goal of this project was to promote less restrictive alternatives to guardianship, especially supported decision-making. By all indicators, MAR-NC was a huge success. Over 1,400 individuals were reached through educational trainings and outreach; self-advocates, family, friends and professionals became more aware of the concept of supported decision-making; educational materials about supporting choice and self-determination were created in print and video formats and are available in English and Spanish, and statutory guardianship reform is underway. Read on to learn more!

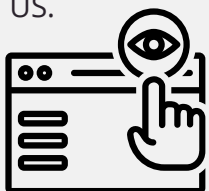
Enhanced Website



You can find the following at Rethinking Guardianship's website,

www.rethinkingguardianshipnc.org:

- Our Common Agenda
- News & Reports about Rethinking Guardianship
- Educational materials in print and video, English & Spanish
- Stories and videos
- A blog
- Resources, including information about assessing capacity, restoration of rights, and guardianship in NC and the US.



Between October 2020 and June 2023, the website received **15,556** unique pageviews.

Educational Materials in English and Spanish

Educational materials created by MAR-NC include a video introducing supported decision-making, a downloadable, printable guide to SDM, and individual handouts, all available in English and Spanish. Topics include the importance of self-determination for well-being and how to get started using specific tools, including: Supported Decision-Making Formal and Informal; Power of Attorney; Healthcare Power of Attorney; Living Will; Living Trust; Special needs Trust; Simple Financial Tools; Foster Care 18-21; Representative Payee for Social Security Benefits; Fiduciary for Veterans Benefits; and Psychiatric Advance Directives.



New Trainings for NC Adult Social Workers & Corporate Guardians

UNC Cares created two trainings on guardianship for the Division of Aging and Adult Services. The first is a pre-service titled **Fundamentals of Guardianship** training required for all DSS adult social workers and corporate guardians. During this grant period, **156** individuals completed this training. The second is a day-long live hybrid training titled **Beyond Guardianship: Promoting Pathways to Greater Self-Determination**. This training will be offered several times each year beginning July 2023.

MAR-NC Contributed to the North Carolina Olmstead Plan

MAR-NC made detailed recommendations to the North Carolina Olmstead Plan, which was finalized in January 2022. As a result, the plan includes "Exploring other ways, besides guardianship, to help people make decisions," as one of its eleven priorities.



Moving the Needle on Awareness and Use of Supported Decision-Making: 2020 to 2023

The initiative's Common Agenda includes promoting less restrictive alternatives to guardianship. As a shared measure, we asked self-advocates, family, friends, and professionals in North Carolina about their awareness and use of supported decision-making (SDM) in 2020 and again in 2023. Over that time period, self-advocates, family members and friends became more familiar with the concept of supported decision-making, going from only 40% in 2020 to 75% in 2023. In addition, self-advocates, family members, friends and

Check Out Our Video Stories!

Janie and Suvya and their experience living independently with supported decision-making.

Jason and his experience regaining his rights after being subject to guardianship.

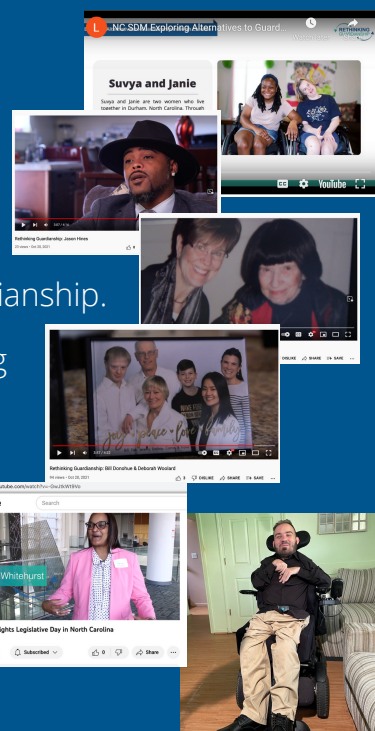
Carol and her mother's story of a predatory guardianship.

Jeremy and his parents and their experience using supported decision-making.

Tylor, a young man in his late twenties living in Charlotte, NC, whose rights were restored.

I AM My Rights from Guardianship Rights Legislative Day in NC

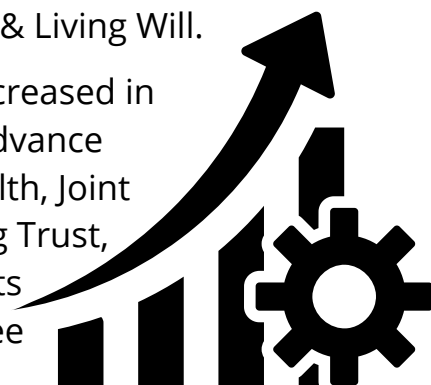
Check out these stories and more on the website: www.rethinkingguardianshipnc.org



professionals increased in awareness & use of the following: family, friends & community supports, SDM agreements (formal and informal), Foster Care 18-21, and Fiduciary for Veterans' Benefits.

Self-advocates, family members, friends, & professionals increased their awareness of ABLE Accounts, and Special Needs Trust, and use of Living Trust, Durable Power of Attorney, Health Care Power of Attorney, & Living Will.

Finally, professionals increased in awareness and use of Advance Directive for Mental Health, Joint Bank Account, and Living Trust, and use of ABLE Accounts and Representative Payee for Social Security.



NC General Statute 35A

As part of its Common Agenda "to effect long-term changes in the state's guardianship system," MAR-NC identified several areas for Chapter 35A reform that will increase choice and autonomy for individuals encountering the guardianship system in North Carolina.

With input and guidance provided by national SDM advocate and MAR-NC consultant, Jonathan Martinis, the Statute Writing Team completed a 79-page draft spelling out important reforms. MAR-NC then partnered with the Conference of Superior Clerks of Court, the UNC School of Government, and the Estate Planning & Fiduciary Law Sections of the NC Bar to finalize proposed statutory changes.

These changes are the following:

1. A mandate to consider alternatives that carry the least restrictions for the lives of people facing potential guardianship.
2. A need to make sure all parties are fully informed about relevant rights.
3. The ability of courts to monitor guardianships and call for hearings if needed.

A consensus bill for guardianship reform was filed by the NC Bar Association for the 2023 long session of the NC General Assembly. Senate Bill 308, otherwise known as the Guardianship Rights Bill, was passed unanimously in the Senate (74-0) and is currently in the House, awaiting movement during either the long or short sessions of the General Assembly.

Next steps in the statutory reform work include potentially introducing updating guardianship terminology in the 2024 short session, and introducing GAL system reform in the 2025 long session.

MAR-NC By the Numbers

1,419 individuals reached through trainings from July 2020 to June 2023

156 DSS social workers and public guardians enrolled in or completed *Fundamentals of Guardianship* training

60 NC Clerks of Court trained on Supported Decision-Making

179 members of the MAR-NC Statewide Workgroup

26 individuals who served on the MAR-NC Steering Team

28 individuals who contributed to Senate Bill 308

6 individuals with I/DD participating in MAR-NC

12 families advocates participating in MAR-NC

15,556 unique website views



Thank you!

Jonathan Martinis, Senior Director for Law and Policy in the Burton Blatt Institute (BBI) at Syracuse University



Philip Woodward, Systems Change Manager, Council on Developmental Disabilities



Catherine Wilson, NC Bar Association



To our Funders at the **NC Council on Developmental Disabilities**



NCCDD
North Carolina Council on Developmental Disabilities

To our many **Statewide Partners:**



And to our **Backbone Entity:**

