LEGAL WAYS OF PROTECTING RIGHTS

PLENARY (FULL) GUARDIANSHIP (SECTION 744.102(8)(B), F.S.)
Appointment of a guardian after an adjudication of incapacity in making all decisions: personal, handling money or property. All rights of the individual are removed and a guardian is appointed to make all decisions for the individual.

LIMITED GUARDIANSHIP (SECTION 744.102(8)(A), F.S.)
Appointment of a guardian after an adjudication of incapacity in certain areas, when the person lacks capacity to do some but not all tasks necessary to care for the person, money or property. This process requires lengthy evaluations and is more costly than the Guardian Advocacy process.

GUARDIAN ADVOCATE (SECTION 393.12, F.S.)
An appointment of a guardian made by the Probate Court, without an adjudication of incapacity, when the person with a developmental disability lacks capacity to do some, but not all, of the tasks necessary to care for the person, property or estate. Only those rights that the person cannot manage are removed.

FOREIGN GUARDIAN (SECTION 744.306, F.S.)
Florida honors guardianships from any state, territory, or country. However, the guardian must, within 60 days after moving to Florida, file an authenticated order of the guardianship in the county where the ward resides.

TRUST
A legal arrangement where a trustee holds property and/or funds for the benefit of the beneficiary of the trust. Trust funds can only be used as the person granting the trust has directed.

REPRESENTATIVE PAYEE
An individual may be given authority by the Social Security Administration to receive and manage federal benefits for another person found unable to manage his own money. The representative payee receives the benefit payment and is required to account for its expenditure on behalf of the person for whom it is intended.

DURABLE POWER OF ATTORNEY
Persons who are capable of giving informed consent may give power of attorney to another adult. This confers to the other adult legal authority to make decisions on specific matters for the person who is disabled. A durable power of attorney may be exercised until the death of the person who gave it.

BANKING SERVICES
Co-signers of Bank Accounts control handling of funds by requiring more than one signature on each check. In this way, both the person with a disability and the co-signer are aware of how the funds are being spent, and what funds remain in the account. Power of Attorney Accounts may have someone officially act for the owner of the account although that person has no ownership in the account. Joint Bank Account has two or more persons deposit or write checks on an account. While there is no real legal protection, a person with limited banking ability may willingly use a joint account and accept help from the other signer(s) who handles and pays bills. Direct Deposit and Direct Payment. Can facilitate simple banking procedures for a person who has difficulty with bank accounts. Client Advocate (Section 393.0651, F.S.). Allows a family member or friend to assist a client to evaluate alternatives and consequences in any decision relating to services to be provided through the Agency for Persons with Disabilities.

MAKE ONE'S OWN DECISIONS
in all activities of life. May ask others for input before deciding.