

Guardian for Adults

A **Guardian for Adults** is a person chosen to make all decisions for you. Sometimes they are called a Full Guardian. You do not get to decide who your guardian will be. Your guardian does not need your permission before making decisions for you. The decision to have a guardian is first made by your doctor. Then a **judge** approves who your guardian will be. There are two types of full guardians: **Guardian of the Person** and **Guardian of the Property**. A Guardian of the Person makes decisions about your health care and personal life. A Guardian of the Property makes decisions about your money. You might have one guardian or more than one guardians making these decisions for you.

Where can I use this support in my life?

The table below shows examples of how a guardian can make decisions for you.

Money

- A **Guardian of the Property** can:
- Control your bank account
 - File your taxes
 - Apply for Social Security benefits

Healthcare

- A **Guardian of the Person** can:
- Schedule your medical appointments
 - Decide which medical treatments you receive

- A **Guardian of the Property** can:
- Manage long-term medical care costs

School

- A **Guardian of the Person** can:
- Choose your school
 - Decide your IEP accommodations

Personal life

- A **Guardian of the Person** can:
- Decide where you travel
 - Make decisions about your dating life and relationships
 - Make decisions about marriage

Housing

- A **Guardian of the Person** can:
- Decide where you live
 - Decide who you live with
- A **Guardian of the Property** can:
- Make financial decisions about your personal property and real estate
 - Manage your household costs

Post-secondary life

- A **Guardian of the Person** can:
- Choose employment opportunities
 - Determine your work schedule
 - Decide your accommodations at work

Additional information and a full list of references are available at

<https://www.delawareautismnetwork.org/resources/supported-decision-making/>

Steinbrecher, A., Ferrara, N., Mallory, S., & Legal Support Choices Project Advisory Group (2025). *Guardian for adults*. University of Delaware Center for Disabilities Studies.

More information about Guardianship for Adults

Who is the decision-maker?

Your guardian makes decisions *for* you. You do not choose your guardian or when they make decisions. A judge approves the person, or people, who are allowed to make decisions for you.

Does a Guardianship for Adults require a court hearing?

Yes, a court hearing is needed to appoint a guardian or guardians. A judge in court will say if guardianship is needed or if there are less **restrictive** support choices available. Someone who wants to be a guardian must file a **petition** with the court. A petition is a type of written request that is given to the court. A judge then approves a guardian, or guardians, for you.

Can a Guardianship for Adults be changed? If yes, by who?

It is not likely that a guardianship will be changed, but it is possible. To make a change to your guardianship, you or your guardian can file a petition with the court. A court hearing is needed after the petition is filed. If a change is needed, a judge may decide a new guardian for you.

Where can I go to learn more about Guardianship for Adults?

You have choices when it comes to legal support when you turn 18. Guardianship for Adults is a choice that is available in Delaware. Other states may have different rules or may not offer the same legal support choices as Delaware.

Visit <https://www.courts.delaware.gov/chancery/guardianship/> to learn more about Guardianship in Delaware.

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