

Legal Support Choices in Delaware



You have choices when it comes to legal support when you turn 18. This resource guide collection shows the choices that are available in Delaware. Other states may have different rules or may not offer the same legal support choices as Delaware.

What are the legal support choices in Delaware?

The table below shows a snapshot of each legal support choice in Delaware. A detailed resource guide is available for each of the choices.

Legal Support Choice	Where can I use this support?		Who makes the decisions?
Advance Health Directive	⊕ Healthcare		Someone else. You decide who it will be.
Psychiatric Advance Directive	⊕ Healthcare		Someone else. You decide who it will be.
Durable Power of Attorney	💰 Money 🏠 School 🏠 Housing 🎓 Post-secondary		Someone else. You decide who it will be.
Supported Decision-Making	⊕ Healthcare 💰 Money 🤝 Personal Life	📝 School 🏠 Housing 🎓 Post-secondary	You make the decisions with help from a supporter.
Surrogate Decision-Making	⊕ Healthcare		Someone else. You decide who it will be.
Guardian with Limited Powers	⊕ Healthcare 💰 Money 🤝 Personal Life	📝 School 🏠 Housing 🎓 Post-secondary	Someone else. You do not decide who it will be.
Guardian for Adults	⊕ Healthcare 💰 Money 🤝 Personal Life	📝 School 🏠 Housing 🎓 Post-secondary	Someone else. You do not decide who it will be.

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). *Legal support choices in Delaware*. University of Delaware Center for Disabilities Studies.

Key Words to Know



Agent - A person you choose to make decisions about your health and/or money.

Court - A place where decisions are made by a judge.

Emergency - When your illness or injury is so serious that you cannot make and communicate your medical choices.

Guardian of the Person - A person who makes decisions about your health care and personal life.

Guardian of the Property - A person who makes decisions about your money.

Healthcare Surrogacy Law - The courts will name a person to make decisions for you in a medical emergency if you have not already chosen a surrogate decision-maker. With this law, your closest family member becomes your surrogate (for example: spouse, child, or parent).

Judge - A person who makes decisions based on the law.

Limited Powers - A type of guardianship where your guardian does not make all decisions for you.

Petition - A type of written request that is given to the court.

Restrictive - Something that stops you from making your own choices.

Supporter - A person in your life who you trust to help you make decisions.

Surrogate - A person you choose to make health decisions for you.

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