

FOR INFORMATION ABOUT
OTHER AHRC NEW YORK
CITY SERVICES AND
SUPPORTS CONTACT:

AHRC NEW YORK CITY'S
REFERRAL & INFORMATION CENTER
TEL.: 212.780.4491
E-MAIL: REFERRALS@AHRONYC.ORG
WEBSITE: WWW.AHRONYC.ORG

A chapter of



AHRC New York City
83 Maiden Lane
New York, NY 10038
P: 212-780-2500
F: 212-780-2353
www.ahrcnyc.org



GUARDIANSHIP AND LEGAL SERVICES

For people with intellectual
and other developmental
disabilities and their families.



WHO CAN RECEIVE SERVICES

Assistance with **Guardianship** and **Legal Services** may be provided to families of people with intellectual and other developmental disabilities (I/DD) 18 years of age and older from all five boroughs.

ABOUT ARTICLE 17-A GUARDIANSHIP

Guardianship is a legal process by which the Surrogate's Court, pursuant to Article 17-A of the Surrogate's Court Procedure Act appoints a person or agency to make decisions for a person with an intellectual or other developmental disability who is over the age of 18. It also allows for the appointment of standby and alternate standby guardians.

Guardianship is appropriate for a person with an intellectual or other developmental disability who is deemed by two qualified professionals to be legally incapable of managing his/her own affairs, specifically concerning daily living, health care, residential, and/or financial decision-making.

TYPES OF GUARDIANSHIP

Guardianship for the **person** and **property** are **two different** types of guardianship. You can petition for guardianship of the person, the property, or both.

RESPONSIBILITIES OF THE GUARDIAN

Guardianship of the person gives the guardian the legal power to make decisions about daily life, health care, and where the person lives.

Guardianship of the property gives the guardian the legal power to decide what to do with the person's personal and real property and income. Guardianship of the property also requires the guardian to file annual reports about the person's property.

WHAT HAPPENS WHEN A PRIMARY GUARDIAN CAN NO LONGER PERFORM AS GUARDIAN?

In the event that the primary guardian, through incapacity, death, or removal, is no longer able to serve as primary guardian, the designated standby guardian can immediately assume the duties of the guardian. However, within 180 days the standby guardian must file a petition seeking confirmation from the Surrogate's Court of the successor guardian status. When the standby guardian is no longer able to serve as guardian, the alternate standby guardian can similarly assume the duties of the guardian.

AHRC NEW YORK CITY

Ensuring care when you are not there

Contact us at **212.780.4408** for help with **guardianship** and **Legal Services**.