

Guiding Principles

The *Adult Guardianship and Trusteeship Act* is built on four guiding principles:

- the adult is presumed to have capacity and able to make decisions until the contrary is determined;
- the ability to communicate verbally is not a determination of capacity, the adult is entitled to communicate by any means that enables them to be understood;
- focus on the autonomy of the adult with a less intrusive and less restrictive approach; and
- decision making that focuses on the best interests of the adult and how the adult would have made the decision if capable.

For more information

Call the Office of the Public Guardian toll-free information line:

1-877-427-4525

Monday to Friday
8:15 a.m. – 4:30 p.m.

www.seniors.alberta.ca/opg

Offices

The Office of the Public Guardian has offices across the province. They are open Monday to Friday from 8:15 a.m. to 4:30 p.m. To be connected toll-free, call 310-0000 first.

Northwest Region

Grande Prairie: 780-833-4319

Edmonton Region

Edmonton: 780-427-0017

Central Region

Red Deer: 403-340-5165

Northeast Region

St. Paul: 780-645-6278

Calgary Region

Calgary: 403-297-3364

South Region

Lethbridge: 403-381-5648
Medicine Hat: 403-529-3744



Supported Decision-making *Adult Guardianship and Trusteeship Act*



The *Adult Guardianship and Trusteeship Act* (AGTA) offers a variety of options to support adult Albertans who need assistance making personal and/or financial decisions.

One of the options is a supported decision-making authorization for adults who:

- have the capacity to make their own personal decisions; and
- would like to have someone they trust help them in the decision-making process.

A supported decision-making arrangement would be helpful for capable individuals who face complex decisions, people whose first language is not English and people with mild disabilities.

What is supported decision-making?

If an adult has the capacity to make their own decisions but they would like some help, they can sign a form that authorizes someone they trust to be their “supporter”.

The adult can give their supporter legal permission to access relevant information that might otherwise be protected under privacy laws.

For example, a supporter could present the supported decision-making authorization form to the adult’s pharmacist if they have questions about potential drug interactions related to

the adult’s prescriptions. This would reassure the pharmacist that the adult has provided consent to share this information.

The supporter’s role could also include helping the adult think through the decision-making process and communicate decisions, if necessary.

Supported decision-making is appropriate for any personal, non-financial decisions.

How do you enter into a supported decision-making arrangement?

There is no formal Court application process to enter into a supported decision-making arrangement.

It is an agreement by the parties involved—the adult and the supporter.

Together, they sign a supported decision-making authorization form that outlines the purpose of the arrangement and the kinds of decisions they wish to include.

The authorization form is available online at www.seniors.alberta.ca/opg. You can also pick up a copy of the form at any Office of the Public Guardian (see back panel for contact information).

Once the authorization form is signed, it is recommended that both parties retain a copy of it.

At any time, the adult or the supporter may end the supported decision-making arrangement. The supported adult signs a Termination of Supported Decision-making Authorization form. This form is also available online or at the Office of the Public Guardian.

What else do you need to know about supported decision-making?

A supporter must be over the age of 18 and should have a trusting relationship with the adult. The Public Guardian cannot be a supporter.

The adult may name up to three supporters.

If the adult loses their capacity to make personal decisions and the Court appoints a co-decision-maker or a guardian, or their personal directive is enacted, the supported decision-making authorization ends.

If you are considering a supported decision-making authorization, you might also think about preparing and registering a Personal Directive which would come into effect if you lost capacity to make decisions. A kit is available online at www.seniors.alberta.ca/opg.

For more information, please contact the Office of the Public Guardian.