

Susan needs to explore the Guardianship process and see how it may apply to her situation.

Neither Susan nor her mother have legal say about where Debbie is placed unless one or the other is granted legal guardianship.

A SITUATION FOR STANDBY GUARDIANSHIP

David, who is 59 years old, and his wife Sara, have been caring for his brother Jack since their parents died. David became the legal guardian for Jack, but now David and Sara are getting older and they are concerned over who would oversee his care if Jack should outlive them. Their daughter has indicated an interest in stepping into their role, but they don't want to unduly burden her or have her make promises she will have difficulty keeping. While they explore the many options for Jack's continued care, they wonder if they should pursue Standby Guardianship status for their daughter.

Standby guardianship should be considered in this situation. This is a family decision that should be addressed prior to a particular crisis. In general, Standby Guardianship should always be investigated when the Primary Guardian is nearing senior years.

INDEPENDENCE ISSUES

Ken's brother Jeremy is mentally retarded, but, as Ken says, "it is hard to tell unless you get to know him on a more familiar basis." Jeremy is employed competitively as a shipping clerk and lives at home with his parents. As soon as he gets his paycheck, he spends all the money on gifts and extravagant things

for himself that have to be returned for store credit. Twice he has been with his friends when they were pulled over for speeding, and once, all of them were drinking too much. Ken and his parents wrestle with the need to balance their support and guidance for Jeremy with his need for independence and a chance to grow and choose how he wants to live his life. They wonder whether Jeremy needs full guardianship, although they are unsure of what other alternatives exist that would legally allow him to make whatever decisions and choices he can. And what will Ken do when his parents cannot "manage" Jeremy and/or when Jeremy has to live some place other than in his parents' home?

A lawyer or NYSARC/AHRC guardianship services can tell Ken more. Guardianship is designed to help Ken help his brother when his brother can not make his own safe and appropriate choices.

A NEW RESIDENCE ?

Anna's sister Martha has Down Syndrome. She is in assisted employment, attends recreation programs, has a boyfriend and is on a waiting list for a community residence which she has visited and is eager to move to. Anna's parents, who are her guardians, are concerned about this transition and increasingly worry aloud that Martha "may not be ready for this." Anna, who is the standby guardian for Martha, thinks that Martha is capable of doing many things, and wants to be supportive. She knows Martha is beginning to lose her confidence and excitement about the possibility of a new home, and isn't sure how protective any of them should be or have a right to be of someone

like Martha who has demonstrated great capabilities for growth.

This is not a guardianship issue per se. The problem seems to be overprotective parents--who do not legally have a right to make restrictive choices as guardians for a person who can choose and grow.

JUST TURNING 18

Rita just turned 18 and is moderately retarded and multiply disabled. She has been attending a special education class in the local high school, but with budget cutbacks the school district is talking about concentrating all special education students in one high school on the other side of the district. Sharon, Rita's 15-year-old sister, desperately wants Rita to stay in the high school so that she can be close and keep an eye on her. The guidance counselor told her that Rita's guardian is the only one who can make a formal request. Sharon is shocked to learn that neither she nor her parents can make the request on Rita's behalf. They are not her guardians!

Right! The law does not recognize the rights of parents once the child reaches the age of eighteen, unless they have become legal guardians. Sharon cannot be a guardian until she is of legal age, but her parents should become Rita's guardians now, to assist Rita in her educational decisions, and advocate on her behalf.

SHARING RESPONSIBILITIES

Emily has two sisters, Stephanie and Reanna. Their brother Tom is moderately retarded and living in a group home near Stephanie and Emily. Emily has always

The Sibling Committee of The Association for the Help of Retarded Children is pleased to present the premier issue of SIB- The Sibling Information Bulletin. SIB represents an effort by AHRC to provide support to siblings in their role as advocates, advisors or caregivers to their siblings who are developmentally disabled. Built upon a foundation of over a decade of accumulated discussions of the experiences of participants of AHRC's Sibling Support Group, each issue of SIB will provide information and resources about a topic identified as significant to siblings, along with a sampling of situations typically encountered by adult siblings and their families. Each issue will reflect the most current information and resources available as culled from experts within AHRC and elsewhere, and guide readers to avenues of further assistance.

It is our hope that this bulletin will broaden the support crucial to siblings as they increasingly emerge as a major source of support for their family members with disabilities.

A REQUEST TO OUR READERS

We would like to be sure this publication is received by as many siblings as possible. We are asking for the assistance of AHRC's members to put us in contact with adult siblings who they know of who are not currently receiving AHRC publications directly. We are also seeking information about younger siblings to help us plan for development of our sibling services.

Please help us in this effort by your reply. Thank you!

How many siblings of persons with developmental disabilities are there in your family? _____

(PLEASE CONTINUE ON BACK)