



Conservatorship and Alternatives to Conservatorship Checklist

Considerations for Establishing Conservatorship

- What are the specific circumstances which have prompted consideration of conservatorship?
- Have less restrictive alternatives been explored?
- Does the person:
 - understand the value of money
 - understand the concept of personal safety
 - have the capacity to give informed consent, i.e.,
 - know what choices are possible
 - understand the risks, benefits and consequences of the choices
 - make the same decision that a reasonable person would make
 - need medical care or services which won't be provided unless there's proof of the person's legal capacity
 - live in an environment that is significantly unsafe
 - make choices which cause significant harm to self or others, rather than simply being unconventional or contrary to advice
 - have a significant vulnerability to exploitation
- What are the specific areas in which the person may lack capacity?
 - Living arrangements
 - Personal safety
 - Finances and property
 - Health care
 - Educational decision-making
- What rights could the person retain with a limited conservatorship?
- What rights would be removed from the person?

You can read our entire Conservatorship and Alternatives to Conservatorship handbook here: http://www.thearctn.org/Assets/Docs/Conservatorship_Handbook.pdf

For help with setting up Conservatorship contact the Special Needs Law Center:
<http://www.tnsntlw.com> Phone: (615) 509-4677

The Arc Tennessee
<http://www.thearctn.org>

800-835-7077 x 28 or 615-248-5878 x 28
help@thearctn.org