Florida is one of the few states that has developed a process specifically designed to meet the needs of persons with DEVELOPMENTAL DISABILITIES—in Florida that process is GUARDIAN ADVOCATE. There are a few differences between GUARDIAN ADVOCATE and GUARDIANSHIP as I described in last month's newsletter. First, Guardian Advocacy is limited to persons with at least one of five developmental disabilities as defined in Chapt.303, Florida Statutes. They are out of the statute exactly, "retardation, cerebral palsy, autism, spina bifida, or Prader-Willi syndrome that manifests before the age of 18 and that constitutes a substantial handicap that can be reasonably be expected to continue indefinitely". Another important component is the person's ability to make decisions. The standard is "an individual in need of guardian advocacy must lack SOME BUT NOT ALL the decision making ability to complete some or all of the tasks necessary to care for themselves, their property and or estate". These distinguish this option from a standard Guardianship. There are advantages to a Guardian Advocacy if you meet the requirements. The law does not require a determination of incapacity. This is one of the main reasons that this is a less restrictive option for some folks. Also there is no requirement that the guardian advocate be represented by an attorney unless for a special reason the Court requires it or if the advocate is delegated any rights as to property other than being the representative payee for governmental benefits. For those reasons this is usually a less expensive, less intrusive option than guardianship. If you have any questions please call us at DIG (305) 669-2822 or email Sharon at Sharon@justdigit.org.