

Update on Supported Decision-Making

A plain-language update for families, self-advocates, and service coordinators

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Supported Decision-Making (SDM) has gone from a promising idea to something written directly into California law, and it's now spreading state by state and gaining attention in Congress. This update summarizes what's changed, how SDM compares to conservatorship, and where to find current California-specific tools.

The short version

- SDM lets a person keep full legal decision-making authority while choosing trusted supporters to help them understand information, weigh options, and communicate their choices — no court order required.
- California made SDM part of state law in 2023 (AB 1663). Courts must now be told what less-restrictive alternatives — including SDM — were considered before granting a conservatorship.
- New this year: Kansas became the latest state with its own standalone SDM law (effective July 1, 2026), and a federal bill would push courts nationwide to consider SDM before guardianship.

What's Changed Since Our Original Guide

In 2016, SDM had little formal legal recognition anywhere — it was mostly an emerging practice, not a defined legal option. That has shifted substantially:

California, 2023: AB 1663, the Probate Conservatorship Reform and Supported Decision-Making Act, took effect January 1, 2023. It formally defines SDM agreements in state law, requires anyone petitioning for a conservatorship to tell the court what alternatives were explored (SDM agreements, powers of attorney, advance health care directives, or a designated health care surrogate), and requires every county Superior Court self-help center to offer information on conservatorship alternatives.

Kansas, 2026: Governor Laura Kelly signed the Supported Decision-Making Agreements Act (SB 84) on April 7, 2026, effective July 1, 2026 — joining a small but growing list of states, including Florida, with standalone SDM statutes.

Congress, 2026: The Guardianship Bill of Rights Act of 2026 (S. 4247) was reintroduced in March 2026. It would create a national council to set standards pushing courts to consider less-restrictive options like SDM before guardianship or conservatorship for older adults and people with disabilities. It has not passed and is not current law.

What SDM Actually Looks Like

In practice: a person chooses one or more trusted supporters — family, friends, or others they trust. Those supporters help explain information, talk through pros and cons, and communicate the person's decision to others (doctors, banks, schools). The person makes the final call, and a supporter cannot sign documents or make the decision on their behalf without separate legal authority. It's fundamentally different from a conservatorship, where a judge transfers some or all decision-making authority to someone else.

SDM vs. conservatorship, side by side

- Supported Decision-Making: set up without going to court; the person keeps full legal authority; the supporter's role is defined by agreement; the person can change or end it at any time.
- Conservatorship: requires a court petition and a judge's order; the person may lose some or all legal decision-making rights; ending or changing it requires going back to court.
- Under California's AB 1663, a judge must now confirm that SDM and other less-restrictive alternatives were considered before granting a conservatorship.

Where to Get California-Specific Help Now

SCDD's Supported Decision-Making Technical Assistance Program (SDM-TAP): a statewide initiative funded by the State Council on Developmental Disabilities, offering a free, UCLA-curated resource library plus workshops and training for self-advocates, families, and professionals across five areas — education, financial services, I/DD services, legal/judicial services, and medical/healthcare.

Your county Superior Court self-help center: as of AB 1663, every county is required to offer information on conservatorship alternatives, including SDM, before a conservatorship case moves forward.

Fair to all sides: what to keep in mind

- SDM isn't the right fit for every situation. For people who need someone with clear legal authority to make time-sensitive medical or financial decisions on their behalf, a conservatorship, power of attorney, or health care directive may still be necessary — SDM alone doesn't transfer legal authority to a supporter.
- The federal Guardianship Bill of Rights Act is still just a bill, introduced in March 2026. It is not current law, and any national standards it creates would take time to stand up even if it passes.
- Kansas's new law and California's SDM-TAP funding show real momentum, but how well SDM is understood and honored still varies by county, court, school, and medical provider — worth confirming locally before relying on it.

Bottom line: SDM is worth a serious look before or alongside any conservatorship conversation, and California now has more formal support for it than it did in 2016. This is general information, not legal advice — start with the SCDD SDM-TAP resource library and talk to a lawyer or your county self-help center about what fits your specific situation.

Sources

- [Congress.gov – S.4247, Guardianship Bill of Rights Act of 2026](#)
- [Office of the Governor of Kansas – Governor Kelly Signs Bill Establishing the Supported Decision-Making Agreements Act](#)
- [California State Council on Developmental Disabilities – Supported Decision-Making Technical Assistance Program \(SDM-TAP\)](#)
- [California Lawyers Association – Legislation Alert: AB 1663](#)
- [The Arc California – New Law on Conservatorship & Supported Decision-Making: What You Should Know](#)