

## New York Guardianship & Decision-Making Options

Type	For Whom	Age	Court	Purpose	Level of Control Given to Another
Independent Decision-Making	Adults with or without disabilities	18+	None	Individual makes all decisions alone	None – full independence
Article 17 Guardianship	Minors	Under 18	Surrogate's Court	Care and/or asset management for children	Full (by guardian)
Article 17-A Guardianship	Individuals with intellectual or developmental disabilities (I/DD)	18+	Surrogate's Court	Full guardianship of person/property	Full
Article 81 Guardianship	Adults with functional limitations	18+	Supreme or County Court	Tailored guardianship of person/property based on specific needs	Partial or Full (customized)
Standby Guardianship	Minors or adults with disabilities	Any (varies)	Varies (usually Family or Surrogate's Court)	Pre-designated guardian if current caregiver dies or becomes incapacitated	Full upon activation
Supported Decision-Making (SDM)	Adults with disabilities who can make decisions with help	18+	No court involvement	Person makes their own decisions with trusted supporters	None – retains full rights
Power of Attorney (POA)	Adults capable of understanding and signing a legal document	18+	No court involvement	Designates someone to make financial/legal decisions	As specified (can be broad or limited)
Health Care Proxy (HCP)	Adults capable of understanding and signing a legal document	18+	No court involvement	Appoints someone to make health care decisions if incapacitated	Only when person is incapacitated