



SUPPORTED DECISION-MAKING AGREEMENT GUIDANCE FOR SUPPORT COORDINATORS

Key highlights

Version: 7/2026

I. Overview of supported decision-making (SDM)

SDM is a way for people with disabilities to make their own decisions with the help they need and want.

A. **How it works**

The person **chooses a support team (called supporters)** from their friends, family, and trusted people in their life. These are the people who help them understand choices, explain options, gather information, discuss pros and cons, and may help communicate the person's final decision.

B. **Decisions covered**

Supported Decision-Making (SDM) helps with various choices such as where to live, what services/medical care to get, where to work, and how to spend money.

C. **Key principle**

The person with the disability **does not lose their legal decision-making rights**. Supporters only help; they **do not make decisions for the person**.

D. **SDM vs. guardianship**

SDM is frequently contrasted with guardianship, where a court removes the legal rights of an adult to make some or all decisions. SDM is an important alternative to guardianship. It can be an option for someone with or without a legal guardian.

E. **Focus on self-determination**

Research shows that people with disabilities who have greater self-determination have better life outcomes, are more independent, and are less likely to experience a decrease in their quality of life.

F. **Not just for certain disabilities**

A person's ability to use SDM is not determined by IQ score or diagnosis. It can be used by people with intellectual/developmental disabilities, acquired brain injury, psychiatric disabilities, and those who do not use speech to communicate.

G. **Formal vs. informal SDM**

1. **Informal SDM**

Most people use SDM informally, without a written agreement, by turning to people they trust for advice and help when making decisions.

2. **Formal SDM**

Formal SDM uses a Supported Decision-Making Agreement (SDMA), a written legal document that formalizes the arrangement, which can help a third party such as a doctor's office or bank, be willing to accept the person's decision as appropriate. It also helps with enforceability of the law allowing SDM.

II. Supported Decision-Making Agreements (SDMAs)

A Supported Decision-Making Agreement (SDMA) is a voluntary, written document that formalizes an SDM arrangement.

A. Who can use an SDMA?

1. An adult (18 years or older) with a disability as defined under Utah law.
2. If the person already has a **legal decision-maker** (guardian, conservator, or agent under a power of attorney or health care directive):
 - a. the legal decision-maker must be invited to all conversations about the SDMA;
 - b. the proposed SDMA must be provided to them at least two weeks before signing; and
 - c. If the SDMA covers an area of life where the legal decision-maker has authority, that person **must also sign the SDMA for it to be valid.**

B. Who can be a formal supporter?

Formal supporters under a written SDMA must meet specific legal qualifications.

1. Be **18 years or older.**
2. **Not be paid** to provide support to the person, unless they receive DSPD caregiver compensation or are a sibling who provides care.
3. **Not have:**
 - a. a substantiated allegation of abuse, neglect, or exploitation;
 - b. a protective or restraining order; or
 - c. a conviction for harm of another, theft, or financial crime (even if a family member).

C. Supporter duties and responsibilities

Supporters act according to the SDMA's terms, which show how they may help the person. It may include things like helping to access and understand information, consider consequences of life decisions, make appointments, advocate for the person's wishes, and get information for them. The law requires certain things from supporters.

Supporters should:	Supporters should not:
Act with care, competence, and diligence.	Coerce, exploit, or exert undue influence.
Act in good faith.	Make decisions on behalf of the person.
Comply with the terms of the SDMA.	Sign documents for the person.
Maintain records about their actions and how the person communicates and shares opinions.	Delegate their SDM duties.
Ensure confidentiality of all information.	Get and use information not authorized by the person.

D. **Required elements and finalization**

Utah law lists specific elements an SDMA must contain to be a valid legal document:

1. be **in writing**;
2. have an **effective date**;
3. designate **at least one supporter**;
4. **describe** the person's rights, the supporter's responsibilities, decision-making supports, and decisions the supporters cannot assist with; and
5. Describe any **actual or perceived conflicts of interest** and how they will be mitigated.

The SDMA must be signed by the person with a disability, each supporter, and either 2 witnesses or a notary public. Following the enactment of Utah's SDMA law, the [Disability Law Center developed a set of instructions and an SDMA form](#) to meet the above requirements.

E. **Termination**

An SDMA can be **revoked or canceled at any time** by the person with a disability or the supporter(s) by providing written (including electronic) notice to all other parties.

An SDMA is automatically terminated if:

1. the person with a disability dies or revokes it;
2. the person executes an "overriding document," like a power-of-attorney, that conflicts with the SDMA;
3. a supporter no longer meets the legal qualifications;
4. all supporters withdraw without alternative supporters being named; or
5. a court rules the person cannot make an SDMA. In that case, informal SDM would still be an option.

- For more complete information, refer to: Supported Decision-Making Agreements in Utah - A Guide for Support Coordinators.
- Any questions can be directed to: communityinclusionteam@utah.gov.
- See also: [Disability Law Center information on self-determination and guardianship](#).