

The Benefits of Obtaining Guardianship for Your Developmentally Disabled Child in Massachusetts: A Comprehensive Overview

Services

Conservatorship & Guardianship

- Appointment of Guardians and Conservators For Minors
- Guardianship and Conservatorship Litigation

November 18, 2024

As parents, we always want to ensure that our children receive the care and support they need, especially when they have developmental disabilities. When your child turns 18, they are legally considered an adult, and the responsibility to make their own decisions shifts to them. However, if your child has a developmental disability, you may want to consider obtaining guardianship to continue making important decisions on their behalf. In Massachusetts, guardianship can provide numerous benefits for both you and your child, ensuring their well-being and long-term care. In this blog, we'll explore the specific benefits of obtaining guardianship and the importance of seeking legal assistance before your child turns 18.

The Benefits of Guardianship

1. **Decision-Making Authority:** Guardianship allows you, as the parent, to make important decisions on behalf of your developmentally disabled child. This can include decisions related to healthcare, education, and living arrangements. Guardianship ensures that your child receives appropriate care tailored to their specific needs.
2. **Financial Management:** In Massachusetts, Guardianship does not grant you the authority to manage your child's financial affairs. To manage your child's financial affairs you would need to be appointed as a Conservator. A Conservatorship enables a parent to make decisions regarding government benefits, investments, and budgeting for daily expenses. As a Conservator, you can safeguard your child's financial well-being and ensure that their resources are used appropriately.
3. **Access to Confidential Information:** As a guardian, you will have access to your child's confidential information, such as medical and educational records. This access enables you to make informed decisions based on accurate information, ultimately leading to better care and support for your child.
4. **Advocacy and Representation:** Guardianship allows you to advocate for your child and represent their best interests in various legal and administrative matters. This can be particularly important when dealing with government agencies or navigating the complex world of special education and healthcare.
5. **Peace of Mind:** Knowing that you have the legal authority to make decisions on behalf of your developmentally disabled child can provide a sense of security and peace of mind for both you and your child.

The Importance of Seeking Legal Assistance Before Your Child Turns 18

It is crucial to begin the process of obtaining guardianship before your child turns 18. The legal process can be lengthy and may involve various court hearings, document submissions, and evaluations by a medical doctor, psychologist and social worker. By seeking legal assistance early, you can ensure that you have sufficient time to navigate the complex legal system and secure guardianship as soon as possible after your child's 18th birthday. This will help to ensure a seamless transition of decision-making authority and reduce the risk of legal disputes or complications.

Contact Cohen Cleary, P.C. for a Free Consultation

If you are considering guardianship for your developmentally disabled child, we encourage you to [contact](#) Cohen Cleary, P.C. at [508-880-6677](tel:508-880-6677) for a free consultation. Our experienced attorneys can guide you through the guardianship process, ensuring that your child receives the care and support they deserve. Don't wait until it's too late - reach out to our team today to discuss your options and begin the guardianship process.