

## The Scope and Limits of the Role & Powers of the Conservator.

### What is Conservatorship? What are their rights?

All adults are legally considered to be competent and to have the ability, or capacity, and right to make decisions about their lives. When people with intellectual or developmental disabilities become adults, they have all the legal rights and responsibilities of adulthood. Conservatorship is a court-approved and court supervised legal relationship between a competent adult (known as a conservator in TN; as a guardian in other states) and an adult who needs assistance in decision-making.

The person who needs assistance is referred to as a ward in legal documents (in this booklet, referred to as the “person” or the “individual”). The court gives the conservator specific authority and duty to act on behalf of the individual in making specified types of decisions affecting the person’s life, but the court maintains authority. Each state has a set of laws on conservatorship. There is no uniform national conservatorship law. In Tennessee, the definition of a conservator is a person appointed by the court to provide partial or full supervision, protection and assistance. The court has the final decision-making responsibility and authority in those areas, such as health care, living arrangements and/or finances, for which conservatorship has been deemed necessary. A conservator acts as the agent of the court. All rights stay with the individual except for the specific area(s) in which the court transfers decision-making to the conservator .

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