

# Massachusetts Adult Guardianship

## *Glossary of Terms*

<b>Co-guardian</b>	When two people serve as guardians for the Respondent they are referred to as “co-guardians.”
<b>Conservator</b>	A person appointed by the court to handle the Respondent’s finances. In many cases, a conservator is appointed when the amount to be managed is more than \$5,000.
<b>Contested Guardianship</b>	When parties disagree about guardianship.
<b>Durable Power of Attorney</b>	A document that appoints a person (“agent”) to manage and protect the finances of another person (“principal”). The agent continues to have this power even after the principal becomes incapacitated.
<b>Guardian</b>	A person appointed by the court to make certain decisions for an Incapacitated Person.
<b>Health Care Proxy</b>	A document that names a person (“agent”) to make health care decisions on behalf of another person (“principal”) if the principal becomes unable to make or communicate those decisions.
<b>Incapacitated Person</b>	A person, who for reasons other than advanced age or minority, has a clinically diagnosed condition that results in an inability to receive and evaluate information or make or communicate decisions to such an extent that the person lacks the ability to make necessary decisions for physical health, safety, or self-care, even with appropriate technological assistance.
<b>Intellectual Disability</b>	A person with substantial limitation in present functioning, low intellectual functioning (IQ), and limitations with two or more activities of daily living, all of which began prior to age eighteen (18)

<b>Limited Guardians</b>	A guardian who only has power to make decisions regarding specific aspects of the Respondent's life.
<b>Petitioner</b>	A person seeking guardianship for the Respondent. The Petitioner does not have to be the proposed guardian.
<b>General (or Plenary) Guardianship</b>	When the guardian has power to make decisions regarding the Respondents support, care, education, health and welfare.
<b>Representative Payee</b>	A person who receives Social Security Disability Insurance ("SSDI") or Supplemental Security Income ("SSI") on behalf of another person.
<b>Respondent</b>	A person for whom guardianship is sought.
<b>Rogers Monitor</b>	A person appointed to reports back to the court about the Respondent's treatment when Rogers Authority is granted.
<b>Rogers Authority</b>	The power to consent to extraordinary medical treatment, such as treatment with antipsychotic drugs, electroconvulsive therapy (ECT), amputation, sterilization, abortion, and experimental medical procedures.
<b>Temporary Guardian</b>	A person appointed as guardian for a limited time (no more than ninety (90) days absent "extraordinary circumstances"). Requires proof that immediate and substantial harm to the health, safety, and welfare of the Respondent likely will result if a Temporary Guardian is not appointed
<b>Uncontested Guardianship</b>	When all parties agree to the guardianship.