

GUARDIANSHIP & TRUSTEESHIP

WHAT IS GUARDIANSHIP & TRUSTEESHIP?

In Alberta, once an individual turns 18 years of age, they will automatically become their own guardian. If an adult is not capable of making decisions independently, a formal court order is needed in order for someone to be appointed as a formal Guardian and/or Trustee.

Alberta's Guardianship and Trusteeship Act establishes a range of decision-making supports for adults who require assistance or who do not have the capacity to make personal, medical, legal, and financial decisions for themselves.



GUARDIANSHIP

Guardianship is a **legal process** which allows an individual to make non-financial decisions on behalf, or with, a dependent adult regarding **personal matters**.

Non-financial decisions include:

- Healthcare
- Where to live
- Who to associate with
- Participation in social activities
- Participation in educational, vocational and other training
- Employment Matters
- Legal Matters

TRUSTEESHIP

A trustee is someone who is responsible for a dependent adult's **financial affairs**.

This includes:

- Managing the adult's money to pay their bills, care charges, etc.
- Managing the adult's investments, real estate, and personal property
- Applying for the adult's financial programs (e.g. AISH)
- Managing the adult's RDSP, RESP, TFSA, etc.
- Filing Taxes

Guardianship and Trusteeship applications require a **Capacity Assessment Report**.

A capacity assessment is used to determine if an adult can: make their own personal or financial decisions and understand the information and consequences of making those decisions.