

# Supported Decision-Making in New Mexico:

## *A Guidebook for Adults with Disabilities*



Disability Rights New Mexico

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(505) 256-3100  
[www.drn.org](http://www.drn.org)

## What is Supported Decision-Making?

Supported Decision-Making (often called **SDM**) is a way for people with disabilities to make their own decisions with help from people they trust. Many people ask others for help when making big choices. For example, someone might:

- talk with a parent before buying a car.
- ask a friend for advice about a job.
- ask a doctor questions before choosing a medical treatment.

Supported Decision-Making works the same way.

In Supported Decision-Making, the person making decisions with assistance in understanding the options, responsibilities and consequences of those decisions is called the **Decision-Maker**. The people who help them are called **Supporters**. Supporters help the person understand information, think through options, and communicate decisions to others. The most important rule is that the final decision always belongs to the Decision-Maker.

## How Supported Decision-Making Works

**1. Choose Supporters** – The individual with a disability (the Decision-Maker) decides who they trust to help them make decisions. The people they chose are called Supporters.

**2. Discuss decisions** – The Decision-Maker and their Supporters talk about areas where support might be helpful, such as healthcare, housing, or money.

**3. Make a plan** – The Decision-Maker writes down how Supporters will help them. This is called the Supported Decision-Making Agreement (SDMA). The SDMA shall:

- (1) be in writing;
- (2) be dated;

(3) be signed voluntarily, without coercion or undue influence, by the decision-maker and the supporter;

(4) designate a supporter;

(5) list the types of decisions with which the supporter is authorized to assist the decision-maker;

(6) list the types of decisions, if any, with which the supporter is not authorized to assist the decision-maker; and

(7) contain a consent signed by the supporter indicating the supporter's:

(a) relationship to the decision-maker;

(b) willingness to act as a supporter; and

(c) acknowledgment of the duties of a supporter.

The New Mexico Supreme Court is working on a form to use for SDMA's currently. Once this form is made public, it should be used by Decision-Makers and their Supporters for their putting together the SDMA.

**4. Sign an agreement** – The Decision-Maker and Supporters sign the Supported Decision-Making Agreement in the presence of at least two adult witnesses whose signatures shall be acknowledged by a notary public to put the SDMA in place..

You can watch a short video about Supported Decision-Making by scanning the QR code or using the link below.



<https://www.youtube.com/watch?v=55ES7jkaB2A>

*Explainer Video: Supported Decision Making*

*and*

*Other Guardianship Alternatives*

By Disability Rights Texas



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*Maria wants to move into her own apartment. Maria asks her sister to help compare rent prices and asks her friend to help her understand the lease. After talking with them both, Maria decides which apartment she wants. **Maria makes the decision, but her Supporters help her understand the different choices.***

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## **Benefits of Supported Decision-Making**

Supported Decision-Making helps people practice independence and self-determination. Self-determination means having control over your own life. When people are supported in making decisions, they gain confidence and learn important life skills.

Research shows that people who practice decision-making skills are more likely to live independently, have jobs, and participate in their communities.

## **Supported Decision-Making in New Mexico**

Supported Decision-Making is becoming more common across the United States. Disability rights organizations, legal experts, and self-advocates support it because it helps people keep their independence while receiving the support they may need.

In 2025, New Mexico passed the Supported Decision-Making Act. This law recognizes Supported Decision-Making agreements and encourages people to use them as a less restrictive alternative to guardianships. A guardian is someone who makes many decisions for a person with a disability. In order for a person to get a guardian, a court must find that a guardian is needed. The judge will decide who the guardian will be. But not everyone with a disability needs a guardian! In fact, when someone asks the court to appoint a guardian to a person with a disability, they must show the court that other things that are less restrictive would not work for the person facing guardianship. This is to make sure that the person with a disability keeps as many of their legal rights as possible.

The Supported Decision-Making Act allows the Decision-Maker, who must be an adult over the age of 18 years, to choose trusted Supporters to help them understand decisions about healthcare, finances, housing, education, employment, and other parts of life. It helps the Decision-Maker maintain their independence and rights to make choices about their own life.



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Michael wants to get a job. He asks his friend about what kind of jobs he might enjoy. He talks with his neighbor, who is a teacher, about what kind of training he might need. His friend and his neighbor both help him apply for jobs. Michael chooses the job that he thinks he will enjoy and be good at.

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# Tools to Help with Decision-Making

Area of Life	Task	Tool
<b>Money Management</b>	<ul style="list-style-type: none"> <li>-Paying bills and rent</li> <li>-shopping</li> <li>-Managing accounts, benefits, and assets</li> <li>-Learning to recognize scams, prevent exploitation</li> </ul>	<ul style="list-style-type: none"> <li>-Using a money-managing app</li> <li>-Using auto-pay for bills</li> <li>-seeking financial counseling</li> <li>-Having a Representative Payee (for Social Security funds only)</li> <li>-Conservatorship or trust</li> </ul>
<b>Health Care</b>	<ul style="list-style-type: none"> <li>-Visiting the doctor, therapist, or other providers</li> <li>-Taking medications</li> <li>-Making decisions about medical treatment</li> </ul>	<ul style="list-style-type: none"> <li>-Using a phone app to remember to take medication</li> <li>-Getting advice from health care professionals</li> <li>-Sign a HIPAA release so that Supporters may access health care information</li> <li>-Getting a Health Care Power of Attorney</li> <li>-Getting Advanced Directives (Living Will)</li> </ul>
<b>Employment</b>	<ul style="list-style-type: none"> <li>-Seeking employment</li> <li>-Maintaining employment</li> </ul>	<ul style="list-style-type: none"> <li>-Working with NM Division of Vocational Rehabilitation (DVR), Medicaid waiver to get employment supports such as job training, education, and job coaching</li> </ul>
<b>Housing &amp; Community Living</b>	<ul style="list-style-type: none"> <li>-Living independently by paying bills, cooking, cleaning, and caring for yourself</li> </ul>	<ul style="list-style-type: none"> <li>-Using assistive technology to help perform household tasks</li> <li>-Using Medicaid or other supports to receive help with daily living</li> <li>-Keeping a list of community resources that can be used as needed</li> </ul>
<b>Legal Issues</b>	<ul style="list-style-type: none"> <li>-Understanding legal documents (like your lease, phone contract, etc.)</li> <li>-Communicating your wishes</li> <li>-Understanding the legal consequences of some behaviors</li> </ul>	<ul style="list-style-type: none"> <li>-Allowing Supporters to explain contracts</li> <li>-Demonstrating consequences, such as through role-playing</li> <li>-Seeking advice from legal professionals</li> </ul>

## Self-Advocacy

Self-advocacy means speaking up about what you want and what is important to you. All adults have the right to make decisions about their lives, including where they live, what job they have, who they spend time with, and what healthcare they receive.

### Deciding What Supports You Want

Different people need support in different areas. Some people want help understanding medical information. Others may want help with budgeting, school, or finding housing. It can be helpful to think about questions such as:

- What decisions do I already make on my own?
- What decisions are harder for me?
- What kind of help would make those decisions easier?
- Who do I trust to help me?



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Alex attends a doctor's appointment. He asks his sister, who is a **Supporter**, to come along so she may write down what the doctor says so that Alex can remember it later. With his sister's help, Alex asks questions, get information, and decides which treatment options feels right for him.

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## Choosing Supporters

Supporters should be people that the Decision-Maker knows well and trusts. Supporters might include family members, friends, neighbors, teachers, service providers, advocates, professionals in the community, or anyone else that the Decision-Maker wants involved. Good Supporters will follow the Supported Decision-Making agreement.

Decision-Makers can assign different roles to different people. For instance, a person may want his friend to provide support for decisions about housing, but he wants his brother to help with decisions about money. Decision-Makers can “fire” (let go of) their Supporters at any time, and Supporters have the option of quitting as well. No one should force the Decision-Maker into choosing them as a Supporter. Supporters should not help make decisions in areas that the Decision-Maker did not agree to, and they should never make decisions in place of the Decision-Maker.

The Decision-Maker is at the center of the Supported Decision-Making Agreement at all times. If changes to the SDMA are made, like removing a person as a Supporter, or changing what the Supporter provides support in, then a new SDMA in writing must be done to reflect those changes, and provided to all who had a copy of the previous SDMA so they know they should rely on this new version instead of the old version.



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Rosa chooses three different **Supporters**. Rosa’s mother helps with health care decisions. Rosa’s friend helps with housing choices. Rosa’s roommate helps her think about her employment goals.

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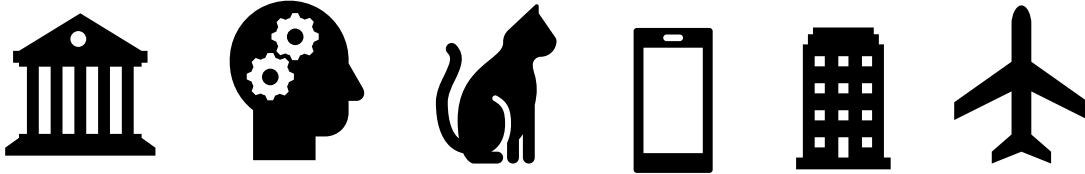
## Talking to Potential Supporters

Once a person chooses who to trust for support with decision-making, they will need to find out if the potential Supporter is able and willing to help. The Decision-Maker might want to:

- Share what areas they'd like support in.
- Share how they'd like to get that support.
- Share a sample Supported Decision-Making agreement.

It's important that the potential Supporter understands what is involved. It's also essential that they are able and willing to fulfill the role of Supporter.

***Supporters do not make decisions for the person. Their job is to help the individual understand choices and to communicate their decisions.***



Questions I want to ask my DRNM worker:

1.

2.


3.

# Worksheet: How I Make Decisions


*This worksheet may help you think about how you make decisions. Read each task on the left and fill in the columns to the right. For example, read “Paying my rent and bills on time” and think about that task. Can you do it alone? Does it help to have some support? Is there someone you would like to help you with paying rent and bills on time?*


*Fill in the columns with a check mark and if you think of a potential Supporter, write their name in the column on the far right.*

## My Money


	I can do this alone	I need some support	Someone I trust to support me with this task, if I need it
Paying my rent and bills on time			
Keeping a budget so I know how much money to spend			
Making big decisions about money (like opening a bank account or signing a lease for an apartment)			
Making sure no one is taking my money to use for themselves			

## My Health Care

	I can do this alone	I need some support	Someone I trust to support me with this task, if I need it
Making medical choices in everyday			


situations (getting a check-up or buying medicines from the store)			
Making medical choices in serious situations (like getting surgery)			
Making medical choices in an emergency (like treating a big injury)			
Understanding how health care costs are covered (insurance, co-pays)			
	<b>I can do this alone</b>	<b>I need some support</b>	<b>Someone I trust to support me with this task, if I need it</b>
Making choices about birth control or pregnancy			
Remembering to take medicine			
Scheduling doctor's appointments			

## My Employment


	<b>I can do this alone</b>	<b>I need some support</b>	<b>Someone I trust to support me with this task, if I need it</b>
Choosing if I want to work			
Understanding my work choices			
Choosing classes or training I need to get a job I want			
Applying for a job			
Going to my job every work day			
Knowing what accommodations I need at work and			

how to request them			
Understanding the employee handbook or work policies			


## Living in My Community

	I can do this alone	I need some support	Someone I trust to support me with this task, if I need it
Choosing where I live			
Choosing who I live with			
Choosing what to do and who to see			
Finding support services and hiring/firing support staff			
Traveling to places I go often (work, stores)			
Traveling to places I go to occasionally (doctor's office, special events)			
Choosing who to vote for and voting			

## My Legal Matters

	I can do this alone	I need some support	Someone I trust to support me with this task, if I need it
Understanding my rights			
Signing contracts and formal agreements			
Talking with a lawyer if I need one			

# My Personal Safety

	I can do this alone	I need some support	Someone I trust to support me with this task, if I need it
How to plan for an emergency			
Making safe choices at home			
Making safe choices in the community			
Understanding if I am being treated badly, and getting help for abuse, neglect, or exploitation			

## Filling Out a Supported Decision-Making Agreement

After you have thought about what kind of decision you'd like support with, and your Supporters have agreed to participate, it's time to complete the Supported Decision-Making Agreement.

Great news! DRNM can help you with this process. Talk with your DRNM worker about putting together a Supported Decision-Making Agreement that meets your needs. If you haven't heard from DRNM and would like our help, call us at (505) 256-3100 and let us know that you're interested in making a Supported Decision-Making Agreement.

A Supported Decision-Making Agreement should explain:

- who the **Decision-Maker** is.
- who the **Supporters** are and what areas they will help make decisions in (medical, financial, housing, etc.).
- how the Decision-Maker will **communicate** their final decisions.

You should meet with your Supporters either one-at-a-time or all at once together. You should read through the SDM Agreement together and talk

about what is in it. It is important for all Supporters to understand what you would like help with and what you don't need their help with. If you are receiving help from DRNM, your DRNM worker will walk you through this process.

When it is time to sign the SDM Agreement, a notary public must witness the signatures. A notary is a person who will certify that the people signing a document are who they say they are. The notary will need to verify the identification of each signer by looking at their ID (like a state ID card, passport, or driver's license). DRNM may notarize your SDM Agreement for you.

### **Important Note:**

**In New Mexico, you will eventually need to use a special form for your Supported Decision-Making Agreement that has been created and approved by the New Mexico Supreme Court. Unfortunately, that form has not been released yet at the time this guidebook is being published (Spring 2026). When the Court releases the official form, you will need to transfer all of your information onto the official form. You and your Supporters will also need to sign it again in front of a notary. If you received help from Disability Rights New Mexico to fill out a temporary form, you may also get help from us to fill out the official form when it becomes available from the Court.**

A SDM Agreement is a "living document," which means that it can be changed or updated at any time. You may want to change your Supporters. A Supporter may decide to drop out. The SDM is easy to change. The most important thing is that you are getting the kind of help you want from the people you decide to help you.

Once the SDM Agreement is signed, it is ready to use. You and each Supporter should keep a copy of it. You can share copies of it with your doctors, service providers, banks, employer, or anyone else who you expect to acknowledge and honor your wishes.

**Disability Rights New Mexico can help you with your**

**Supported Decision-Making Agreement. You may contact us at:**

Disability Rights New Mexico

3916 Juan Tabo Blvd. NE

Albuquerque, NM 87111

Phone: (505) 256-3100   Toll-free: 1-800-432-4682   Fax: (505) 256-3184

Email: [info@drnm.org](mailto:info@drnm.org)

Website: [www.drnm.org](http://www.drnm.org)



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## Additional Resources

### **The Ability Center**

715 E. Idaho Ave.  
Building 3E  
Las Cruces, NM 88001  
Phone: (575) 526-5016  
Toll-free: (800) 376-4372  
Fax: (575) 526-1202

### **Brain Injury Alliance of New Mexico**

3050 Carlisle Blvd. NE  
Suite 208  
Albuquerque, NM 87110  
Phone: (505) 292-7414  
Toll-free: 1-888-292-7415  
Website: <http://www.braininjurynm.org>

### **Choices Independent Living Center**

1717 W. 2<sup>nd</sup> St.  
Roswell, NM 88201  
Phone: (575) 627-6727  
Fax: (575) 627-6754

### **Independent Living Resource Center (ILRC)**

316 Osuna Rd. NE, Suite 401  
Albuquerque, NM 87107  
Phone: (505) 266-5022  
Website: <http://ilrcnm.com>

**New Vistas Independent Living Center**

1205 Parkway Dr.

#A

Santa Fe, NM 87507

Phone: (505) 471-1001

Website: [www.newvistas.org](http://www.newvistas.org)

**San Juan Center for Independence**

1204 San Juan Blvd.

Farmington, NM 87401

Phone: (505) 566-5827

Website: [www.sjci.org](http://www.sjci.org)

**Center for Development and Disability Information Network**

University of New Mexico

2300 Menaul Blvd NE

Albuquerque, NM 87107

Toll-free: (800) 827-6380

Website: <http://cdd.unm.edu/infonet>

**New Mexico Commission for the Blind**

2200 Yale Blvd. SE

Albuquerque, NM 87106

Phone: (505) 841-8844

Toll-free: (888) 513-7968

Website: [www.cfb.state.nm.us](http://www.cfb.state.nm.us)

**New Mexico Commission for the Deaf and Hard of Hearing**

PNC Bank Plaza

505 Marquette Ave. NW

Suite 1550

Albuquerque, NM 87102

Website: [www.cdhh.nm.gov](http://www.cdhh.nm.gov)

**New Mexico Developmental Disabilities Council**

625 Silver Ave. SW

Suite 100

Albuquerque, NM 87102

Phone: (505) 841-4519

Website: [www.nmddpc.com](http://www.nmddpc.com)