

When looking at guardianship and the principles that should govern, Rud Turnbull has reminded us that there are **Core Concepts** and **Basic Principles** that are rooted in federal law and the UN Convention on the Rights of Persons with Disabilities. These concepts and principles recognize that the rights of individuals with disabilities are equal to those of persons without disabilities under the law (UNCRPD; Americans with Disabilities Act, other federal and state laws).

- **Core concepts and basic principles:**
  - Autonomy, liberty, freedom, dignity
  - Presumption of competence
  - Right to life-time decision-making support
  
- **Autonomy** refers to the psychological instinct of a person to have control over his/her life; the legal right to do so; and the duty of family, friends, and providers to support the person to have autonomy.
  
- **Liberty** refers to the right of a person with a disability not to be physically, emotionally, or both, restricted in autonomy, physical movement, and emotional well-being. The term includes without limitation the person's claim to exercise all of his/her constitutional rights.
  
- **Freedom** refers to the same right and is a synonym for liberty.
  
- **Dignity** refers to the right of the person to be respected, and to the duty of family, friends, and providers to accord the person respect, where respect means valuing the person as a person with rights, presumptions of competence, status/standing in law and community and all activities within both, and esteem, valued as a worthy human being, free from the status as a commodity whose value is a benefit of any kind to another person or entity.
  
- Outcomes of these core concepts and basic principles (ADA Sec. 12101(a)(7) and other federal law)
  - Equal opportunity and equal standing in law
  - Independent living and autonomy (choice)
  - Full participation in all of life's domains, activities, and communities
  - Economic self-sufficiency, including support for economic opportunities and security

These core concepts and basic principles are consistent with:

- analyses of federal law and U.S. Supreme Court decisions (Turnbull, Beegle, & Stowe, 2001; Turnbull et al., 2012)
- the support principles set out in the most recent AAIDD book on support, classification, and terminology (Luckasson et al., 2010)
- best practices, including in particular those known as supported decision making, self-determination, and self-advocacy (Wehmeyer & Shogren, 2016)