

Senate Bill (SB) 66

Sen. Judith Zaffirini



Supported Decision-Making in Legal Proceedings

SB 66 would require the Office of Court Administration (OCA) of the Texas Judicial System to conduct a study on the legal and ethical implications of authorizing a supporter under a supported decision-making agreement to assist an adult with a disability with legal proceedings. The study would evaluate and make recommendations on matters such as attorney-client privilege, confidentiality, ethics, relevant Texas statutes, and best practices from other jurisdictions. The OCA would be required to submit a report to state leaders detailing the study's findings and recommendations no later than Dec. 1, 2026.



Supported decision-making is an alternative to guardianship that gives adults with disabilities support to make decisions without taking away their rights. A supported decision-making agreement (SDMA) is a legal document which details the assistance that an individual will need from a supporter. It must be entered into voluntarily, without undue influence or coercion, and may be terminated by either party at any time.



In 2015, Texas became the first state in the nation to offer supported decision-making. Since then, nearly two dozen states have enacted a legal framework recognizing SDMAs. Research shows that adults with disabilities who exercise greater self-determination, such as through the use of an SDMA, have improved employment and community participation outcomes, and are better able to resist and avoid abuse.



Support under an SDMA can include areas such as managing money, help with doctor's appointments, finding housing, shopping, and diet choices. Texas law does not currently permit persons with SDMAs to be assisted by their supporters with criminal or civil court proceedings. Some suggest that this should be permitted because the outcomes of such proceedings can have significant and lasting consequences.



"I filed Senate Bill 66 to ensure Texans with disabilities can have trusted supporters by their side in criminal and civil legal proceedings. Everyone deserves access to meaningful support when making important decisions, especially in court."

Sen. Judith Zaffirini, Author of SB 66