



# Applying for Guardianship/Administration Appointment or Review

Are you currently having difficulties with your views being heard? The first step is to identify who your current decision-maker is.

## What is Guardianship and Administration?

If you are an adult in Queensland, you are presumed to have the capacity to make your own decisions. However, sometimes your decision-making capacity may be affected by age-related impairment, intellectual, developmental impairment, mental illness, or acquired brain injury.

If this has happened to you, then somebody else may be making your decisions for you. If you had an Enduring Power of Attorney, this person may be your decision-maker. If you did not have an Enduring Power of Attorney, someone may have applied to the Queensland Civil and Administrative Tribunal (QCAT) to be your decision-maker, and QCAT may have appointed a Guardian and/or an Administrator.

## What is Capacity?

If you have capacity, it means that:

- You understand the nature and effect of decisions about a particular matter
- You can freely and voluntarily make decisions about the matter
- You can communicate the decisions in some way

**A doctor or health professional** such as your doctor, psychologist, psychiatrist, geriatrician, etc., can help you determine whether or not you have capacity. That is why you are asked to provide a

**QCAT Report by Medical and Related Health Professionals** in your application for appointment or review.

## How do I make an Application for Appointment/Review of Guardianship?

To make an application, you will need to go to the QCAT website and obtain a number of forms under the 'Guardianship for Adults matters' section.

[www.qcat.qld.gov.au/using-qcat/forms](http://www.qcat.qld.gov.au/using-qcat/forms). You can also contact ADA Australia for assistance.

## Forms that you will need:

- Report by Medical and related Health Professionals
- Form 10 - Application for Administration/Guardianship Appointment or Review

## If you wish to become your own decision maker you will also need:

- Form 11 - Application for Declaration about Capacity

## Expected Time Frames

It can take up to three months for QCAT to organise a hearing. They usually send a notice approximately two weeks before the hearing. If you would like more notice, contact QCAT two or three weeks after you have sent in your application, introduce yourself, and ask who your Case Manager is. Exchange contact details with your Case Manager so you can readily communicate with each other.

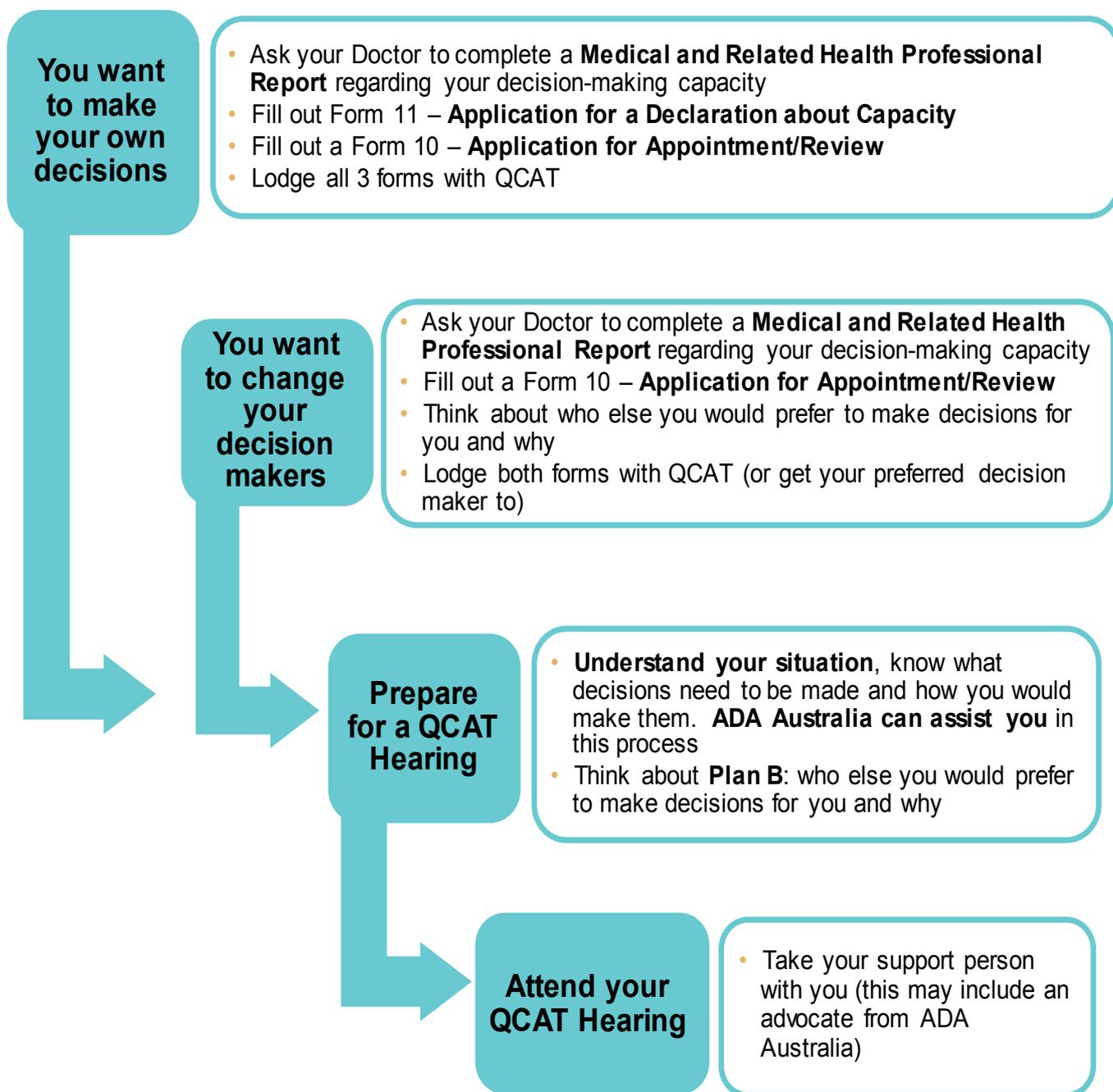




## Overview of the Guardianship Review Process

You have a Guardian or Administrator appointed to make your decisions and

You disagree with their decisions, or you want to make your own decisions, or you want to change decision makers



ADA Australia is supported by



Australian Government



Queensland Government

ADA Australia acknowledges the Traditional Custodians of this land and pays respect to Elders, past and present.

