Hello, my name is Carrie Varner. I'm 38 years old and I have autism. I'm the director of Advocates Leading their Lives (ALL), the state sponsored self-advocacy organization in North Dakota. I live in Bismarck, North Dakota.

Shortly before my 19th birthday, my mom was contacted by my former caseworker who was absolutely insistent that I needed to be under guardianship before I graduated high school in Redwood Falls, Minnesota. My mom complied and a hearing was scheduled for me. The court had a guardian ad litem come to my house and interviewed me, my mom, and possibly my brother. The testimony was done in court and the judge said that I could be my own guardian, however, I needed a conservator. The lawyer we had did the paperwork wrong and I was placed under guardianship with my mom becoming my guardian and my mom and maternal grandpa becoming my conservator; the caseworker knew about the mix up and never told us.

Over the years, my mom was always told that she had to sign things under my name for 'procedural purposes', not knowing that she was my guardian. In 2004, Minnesota changed their laws to make guardianship and conservatorship more clearer. I was once again put under guardianship and the court administrator never told us about it as we would've contested it had we'd known.

In 2008, my mom was going to let me move to North Dakota so I could have a fresh start; Redwood County was furious and three days later, my mom was served with a huge stack of papers stating that Redwood County wanted to become my guardian and conservator. My mom blamed herself for what happened and went into basket case mode. I felt like giving up at first because when you have a disability, you feel like you're a fugitive from justice if you're not under guardianship and conservatorship. I think all of my relatives in heaven felt what I was thinking about doing because I got one hell of a celestial slap that was most likely led by my dad; after that, I became determined to win. I told my mom the next day and my family rallied around me to help me win. I was appointed a 'public pretender'. A public pretender is a lawyer who is not in your best interest and my public pretender was working in tandem with Redwood County Human Services, the people trying to become my guardian and conservator.

During the first hearing, I was ordered to undergo competency testing. I found out that my lawyer was making deals behind my back, I called him and told him that I wanted the competency testing done; if it showed that I couldn't be my own guardian, I would accept that, however, I wanted the testing done. I had the testing done and it was shown that I could be my own guardian and that I needed a conservator on a temporary basis. On February 26, 2009 at 1:00 pm, I was allowed to be my own guardian.

My mom's oldest brother was appointed my conservator. I'm still under conservatorship and have been trying to get that removed so I can be at full capacity. Redwood County was absolutely furious that I won as I was the first person in Redwood County to win against them. My former caseworker took away my human and social services; I nearly lost my health insurance and Social Security as well. I contacted the P&A center in Minnesota to get my human and social services back as I still needed them at that time; unfortunately I was unable to get them back because it was written in my records that I'm too high functioning to receive services.

This experience has made me more determined to help those with disabilities who don't need or want to be under guardianship get their rights restored so that they can make their own decisions, be independent in the community of their choosing, and have an actual quality of life.
I know of three people who have been trying to become their own guardian and move out of facilities so that they can be independent in the community of their choosing for many years; yet their efforts have been continuously stymied by either staff at the place they live in or human services. One is in North Dakota and two are in Minnesota.

There are many people who are currently under guardianship and having their rights violated as a result. This cannot and should not be tolerated under any circumstances and yet it is in today's society. The way the guardianship process is done needs to have serious reforms and real protocols in place so that it can't be abused.

For those who do need guardianship, it should be the least restrictive form of guardianship so that a person can maintain as much independence as possible. For those who don't need or want a guardian, they should be allowed to get their rights restored and if they need support in some areas, that's fine, everyone needs support in one way or another. If supports are shown to be needed, then it should be in the least restrictive setting for the

least amount of time needed in accordance with the Olmstead Decision. If supports aren't needed, don't force them on people! By over serving people, you take away precious resources away from those who really do need services and that isn't right for anyone! Let people be as independent as possible in the community of their choosing and let them make their own choices and decisions! People with disabilities have the right to be human beings just like everyone else and should be allowed to succeed just like everyone else gets the right to do so!