



*California's Protection & Advocacy System
Toll-Free (800) 776-5746*

Introduction to Self-Advocacy

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Enclosed is a description of what self-advocacy is and some forms to help you prepare to advocate on your own behalf. These forms were originally developed by staff members on the Peer and Self-Advocacy Program of the California Network of Mental Health Clients as part of a contract with Disability Rights California. They have been revised over time in response to suggestion by the people who have used them. They are designed for use by a wide variety of persons with a variety of problems and situations. Please feel free to modify them to best fit your personal use.

At first it may seem awkward and time consuming to fill out these forms. However, we have found that people have more success when they take the time to put down on paper their particular problem and then develop a plan for resolving it.

Good luck as you begin to advocate for yourself and regain control of your situation. If you need assistance in completing these forms or in performing self-advocacy, please contact me at (916) 488-9950, or 1-800-776-5746 (toll free).

If you have suggestions for changes or additions to these forms, please let us know. We need to ensure that these forms are suitable for the persons who use them.

Description of Self-Advocacy

The purpose of self-advocacy is for you to decide what it is you want, develop a plan, carry out that plan and evaluate how you did. This includes learning new skills and asking people to help you.

Self-advocacy is different from traditional advocacy services. In a traditional advocacy program, you give your complaint to an advocate, who does whatever is necessary to solve your problem for you. He/she reports back to you about how the problems have been resolved. The self advocate's role is to help you learn the strategies and skills necessary to resolve your problem. Some of these strategies and skills are: "Who do you approach first? How do you negotiate?"

The self advocate may teach you listening, negotiation, problem solving, or assertiveness skills. A major goal of self-advocacy is to empower you to speak for yourself and participate in decisions affecting your life.

There are four basic steps to self-advocacy: Define the problem, develop an action plan, carry out the action plan, and evaluate how you did.

Define the Problem

The first step is to define your issues and/or complaints. You need to be clear what the problems are and how you would like to resolve them. You need to know the laws regarding your issues.

Write down what the problems are and your desired solutions. Choose one or two issues that you would like to work on. Make a list of the possible solutions to your problems. Discuss the pros and cons of each solution. Choose the solution you feel most comfortable with.

Develop an Action Plan

After you have defined the issues and selected a solution for resolving these issues, you need to develop an action plan. You now have a good idea of what the problem is, what you want to do about it, and how you want to accomplish it.

The action plan is a guide to the steps you will take to advocate for yourself. Your action plan will identify what you're going to do, how you are going to do it, the date you want to do it by, and the people who can help

you. An important part of your plan should include a backup plan in case you need to change your strategy to get what you want. Decide what issues you are willing to give in on, and the minimum you are willing to accept.

Carrying Out the Action Plan

The third step is carrying out the steps in your action plan. These steps may include gathering documentation and support for your solution. It may be helpful to keep a log of your activities. In this phase you may want to seek out support from your peers, family members, friends, staff members, and others who are supportive of what you want. You may need to demonstrate that your plan is workable and supported by others.

Negotiate

Be prepared to negotiate with people who may have power over you. Examples of these people are: staff members, your case manager, your conservator, and/or your doctor. You may want to role-play or rehearse what you are going to say. You may want to talk to other people about effective ways to approach people in charge.

This may involve meeting with key staff persons, asking for help from an advocate, making phone calls and/or writing letters. Your actions should be focused and include a clear statement of the problem and ideas about how to solve the problem.

Timing

Timing is important when presenting your issue. Is it better to approach the person in the morning or afternoon? Is it better to approach him/her when he/she is alone? Would he/she respond better if you write him/her a letter? Never approach a situation when you are angry. You may want someone you trust to go with you for support. They can act as a witness to what is said during the meeting and help you remain calm and stick to the facts. Do not become argumentative or overly emotional. If you find you are becoming upset, leave the conversation and approach the situation at a later time. It is o.k. to let him/her know how you feel, but never use personal

attacks or obscenities in your discussion. Stick to the issues. If he/she changes the topic, bring it back to the issue(s) you want to discuss. At the end of the meeting, thank him/her for his/her time. Ask when you can expect to hear from him/her about your issue.

Document

You need to make sure that you document all of your efforts. If you need help later with your issue, it will help the person assisting you to figure out what your issue is, who is involved and what you have done to try and resolve your issue.

Write down your questions before making a phone call about your issue. Be sure to have a paper and pencil handy before making the call. Write down the date, time, agency, and the person you talk to. Write down what he/she says. Send a letter confirming any agreements made. Also, be certain to set a timeline for achieving all agreements.

Keep all letters you receive and those you send.

Get and keep copies of any forms you sign. Get and keep copies of records such as treatment plans and medical records. You have a right to have copies of these.

Evaluate How You Did

The last step is the evaluation phase. Once you have gone through the steps of your action plan, you need to evaluate what happened. Review what you did; how you did it; and if you got what you wanted.

If you didn't get what you wanted, what steps do you need to take to be successful in getting what you want? If the solution you originally selected did not work out, you will want to look at accomplishing it another way, or selecting a new solution and developing a different action plan.

Don't Give Up

It is important not to give up if your first attempt to change something doesn't work out. You may have to stop your plan and try other strategies to get what you want. The important thing to remember is to keep trying until you are satisfied.

Documentation

The key to getting your problems solved to your satisfaction is to document what happened. It is easy to use the Who, What, Where, When, Why method when writing down information about your situation.

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You can get what you want if you understand the system and can identify supportive people to help you. You can be successful at getting what you want if you understand what your rights are, ask for what you want, and keep a record of what you are told.

There are laws and regulations to protect your rights and agencies which are required to assist you in protecting them. Before you can begin to protect your rights, you need to know what they are, and who can help you protect them. Each county is required by law to have a patients' rights advocate to investigate complaints.

KEEP A RECORD OF YOUR SITUATION

Keep all letters you receive and a copy of the letters you send.

When you sign forms you have a right to a copy. This will establish a record of what you have agreed to.

You have the right to participate in your treatment plan and you have a right to a copy of your treatment plan. You should know your treatment plan well and you should be telling the staff what you want, and writing a note to record what you want, and who you told.

HOW TO KEEP A RECORD: AN EXAMPLE

Write Down:

- **Who:** Who you contacted -- name, phone number, address and title.
- **When:** Date and time of contact.

- **What you want:** What you want in a word or two -- vocational training, change of medication, treatment complaint, etc.

- **What they said:** What you were told.

Example of a note:

- Who: Dr. Jones

- When: 4-1-96; 9 a.m.

- What you want: Change of meds - told the Dr. I was shaking from the meds.

- What they said: He said he would evaluate me before the end of the day.

or

- Who: Mrs. Mary Smith, evaluator at Social Security Office.

- When: 4-1-96; 3:30 p.m.

- What you want: SSI check not received.

- What they said: Computer foul up. I was incorrectly cut off from my SSI check. I should receive my check in 10-15 working days.

If you don't get what they said you would get, then you will have to contact another person and make another note. If you still don't get satisfaction you can file a complaint with the patients' rights advocate.

TAKE CONTROL OF YOUR SITUATION

By keeping a record and writing letters you will be able to use your legal power to get what you want.

You have the right participate in your treatment. You can get what you want within available options, but it all depends on you. You have to document your case and keep a record.

If you are still unable to get what you want, your documentation will be important when you go to get advocacy services. Documentation will help the advocate figure out what the facts are, who is involved, and when you were told that something would happen. If your information is complete and written down, an advocate will be better able to assist you to get what you want.

BLANK FORM TO USE

WHO:

WHEN:

WHAT:

WHAT YOU WERE TOLD:

WHO:

WHEN:

WHAT:

WHAT YOU WERE TOLD:

WHO:

WHEN:

WHAT:

WHAT YOU WERE TOLD:

SELF-ADVOCACY

I. DEFINE YOUR PROBLEMS AND IDENTIFY THE POSSIBLE SOLUTIONS

Before you can start to advocate for yourself or for anyone else, it is important to know exactly what the problem is that you are trying to resolve. Just saying "I can't stand it" or "I can't deal with this anymore" won't be much help.

1. What exactly is the problem?
2. How often does the problem occur?
3. Have I tried to resolve this problem before, and what was the result?
4. Do other people share my problem?

5. Has anybody else tried to solve a similar problem?

6. What has worked in the past?

7. What has not worked in the past?

8. What are the laws that would address my problems?

9. Do I know: Who, What, Where, When, Why?

Who:

What:

Where:

When:

Why:

10. Who are some contacts and/or resources that could help me?

11. How does the system work?

II. ORGANIZE AND DEVELOP AN ACTION PLAN

Identify the possible solutions:

1. File a formal complaint
2. Hold an informal meeting to negotiate solutions
3. Write a letter
4. Ask for help in finding other possible solutions

Select the solution you feel most comfortable with and break it down into do-able steps with target dates by which each step is to be completed.

For example: an informal meeting to negotiate your solution by December 31st.

1. Who will you approach?
Target Date
2. How will you approach that person? (Telephone, in-person meeting, letter)
Target Date
3. Who is supportive of your efforts?
4. What are your legal rights?
5. What are the benefits for you and others?
6. What are the facts that support your solution?

13. Who are some people that would help you role-play your presentation of your case with others? When could you arrange to do them?
Date

III. ACTION STAGE

Taking action may involve some risks that may bring up various emotions when you present your issue. When you talk about the problem, you must evaluate how much emotion you think might be okay to use. Do you think you will get upset or defensive? Evaluate your mood during the week. Is there a better day or time to hold the meeting? An alternative approach is to see if you can discuss your issue over the telephone with your notes in front of you. Or you may want to have a supportive person with you who can help you. If you have a supportive person with you, agree on signals for when you want the other person to say something and when you want the discussion to end.

A. Set your plan in motion

1. Make an appointment, or set a time that is convenient for everyone to meet.

B. Keep your presentation simple

1. Start with the most important facts and arguments that will be most convincing.
2. Say only the important things about the problem.
3. Keep it short.
4. Say what you have to say and then stop and listen.

C. Be willing to listen

1. He or she may be willing to give you what you want under certain conditions.
2. Ask politely about his/her reaction to what you say.
3. Address the problems he/she raises and show why your solution is better.
4. Try to think of reasons why he/she would want to help you get what you want.

D. Make Agreements

1. State what you are willing to do.
2. State your understanding of what the other person is willing to do.
3. Set a timeline for achieving these agreements.
4. After the meeting or phone call, send a letter confirming all agreements that were made and the timeline for achieving these agreements.

E. Document your efforts. Keep a record of all phone calls.

After completing your negotiation, or whatever approach you chose, you are ready for the last step, evaluation. This is very important so you can know what went right and what went wrong, and use your experience for your next advocacy effort.

IV. EVALUATION

Self-advocacy involves representing your own needs, problems, or positions. Each advocacy effort, regardless of outcome (success, partial success, or failure) is a rehearsal – it's a way to practice and take a positive

- b. What can I change?
- c. How do I feel?
- d. What did I gain?
- e. What did I lose, if anything?
- f. How can I get the most out of my gains and minimize the losses?

NOTES:

PROBLEM WORKSHEET

ISSUE/PROBLEM:

STATEMENT OF FACTS

WHAT HAPPENED?

WHO IS INVOLVED?

WHERE DID IT HAPPEN?

WHY DID IT HAPPEN?

COMPLAINT FORM TO THE COUNTY PATIENT RIGHTS ADVOCATE

DATE:

TO: Patients' Rights Advocate County Mental Health Dept.

Dear:

Pursuant to Section 864(b) of the California Codes and Regulations, I wish to file the following complaint(s) with your office. My complaint(s) are as follows:

1)

2)

3)

My desired resolution is to my complaint(s) is:

1)

2)

3)

I request that any resolution and/or any findings be sent me at the following address:

Address:

Signed:

Date:

Phone:

Enclosures: ()

COMPLAINT FORM TO THE COUNTY MENTAL HEALTH DIRECTOR

DATE:

TO: Mental Health Director

Dear:

I filed the following complaints with the County Patients' Rights Advocate on (date) . My complaint was not resolved to my satisfaction. I wish to file the complaint with your office pursuant to Section 864(c) of the California Code of Regulations. My complaints are as follows:

1)

2)

3)

My desired resolution is to my complaint(s) is:

1)

2)

3)

I request that any resolution and/or any findings be sent me at the following address:

Address:

Signed:

Date:

Phone:

Enclosures: ()

**COMPLAINT FORM TO
STATE OFFICE OF PATIENTS' RIGHTS**

DATE:

TO: STATE OFFICE OF PATIENTS' RIGHTS

100 Howe Ave., Suite 240-N Sacramento, CA 95825

Mr. Frank Smith, Director

I filed the following complaint with (name) _____, County Patients' Rights Advocate in _____ County, on (date) _____. It was not resolved to my satisfaction. I filed the complaint with (name) _____, County Mental Health Director, on (date) _____. It was not resolved to my satisfaction. I wish to file the complaint with your office, pursuant to Section 864(c) of the California Code of Regulations. My complaint is as follows:

- 1)
- 2)
- 3)

My desired resolution to my complaint(s) is:

- 1)
- 2)
- 3)

I request that any resolutions and/or any findings be sent to me at the following address:

Address:

Signed:

Date:

Phone:

Enclosures: ()

PLAN OF ACTION FOR ESTABLISHING THAT YOU ARE NOT "GRAVELY DISABLED"

What is your source of income?

Where will you live?

How or where will you eat?

How or where will you obtain your clothing?

Do you have any friends, family, church, clubs or organizations who will help you?

Do you have any support groups that you will be attending?

Do you plan to continue participating in Mental Health outpatient services?

How will you provide your transportation?

MONTHLY BUDGET

- Income: \$

Expenses:

- Rent

- Food

- Clothing

- Transportation

- Personal Items

- Medical/Dental

- Miscellaneous

- Entertainment

- Other

Total Expenses: \$

Less Total Expenses

Money Left Over

Disability Rights California is funded by a variety of sources, for a complete list of funders, go to <http://www.disabilityrightsca.org/Documents/ListofGrantsAndContracts.html>.