



A CLIENT'S GUIDE TO CHOOSING A GUARDIAN



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FIVE MAIN QUESTIONS

If the point of an estate plan is to protect our estates for the benefit of the people we leave behind, then the most important thing we can hope to protect with our estate plans is our children. The choice of a guardian for your children can be an emotional one for you as parents to make together. Your children are precious, and your options are limited. It can help get the conversation rolling if you have a roadmap for how to get from start to finish. To help guide you down the road, here are five questions you can ask yourselves.



1. WHAT DO YOU KNOW ABOUT EACH CANDIDATE AND HOW WILL THOSE FACTS AFFECT YOUR KIDS?

List things like the guardian's age, marital status, and lifestyle. What is their financial status? How old are their children, if they have any? What are their moral or religious beliefs? Can they provide the same standard of living that you would provide? If they will need to upgrade their home to accommodate your children, will you help with the costs of improvements or the purchase of a new home?

2. DOES YOUR CHILD HAVE SPECIAL PHYSICAL OR EMOTIONAL NEEDS THAT MIGHT AFFECT THE GUARDIAN'S ABILITY TO CARE FOR THEM?

3. DOES THE PROPOSED GUARDIAN PRACTICE SIMILAR PARENTING METHODS TO YOURS?

For example, would they use corporal punishment?

4. ARE YOU GOING TO NAME THE GUARDIAN AS TRUSTEE OF YOUR KIDS' TRUST?

If not, will the guardian work well with your trustee? The role of trustee is very different from that of guardian. One person is the physical caretaker for your children; the other is the custodian of their inheritance. Your trustee will need to work closely with the guardian to ensure that your children's needs are provided—the trustee may need to pay for music lessons and musical instruments or athletic equipment.

5. WILL YOUR CHILDREN OR THE GUARDIAN NEED TO RELOCATE TO ACCOMMODATE YOUR CHOICE?

FACTORS TO CONSIDER

- Proposed guardian's age, marital status and lifestyle
- Proposed guardian's financial status
- Proposed guardian's religious, moral, and/or cultural views
- Proposed guardian's location
- Proposed guardian's household size
- Your children's needs
- Will the guardian also be the trustee?



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