

Choosing Guardians for Children

This playbook outlines the steps for selecting and legally documenting guardians for minor children within an estate plan. It is intended to ensure that children are cared for by trusted individuals in the event of the parents' incapacity or death.

Step 1: **Assess Needs**

Evaluate the needs of your minor children, considering their age, health, education, and special requirements. Think about the type of care and environment you want for them.

Step 2: **Identify Candidates**

Make a list of potential guardians for your children. Include family members, friends, or others you trust who share your values and parenting style.

Step 3: **Consider Reliability**

Assess each candidate's reliability, stability, age, health, location, and existing familial obligations. This ensures they're capable of long-term guardianship responsibilities.

Step 4: **Discuss Willingness**

Have in-depth discussions with potential guardians to gauge their willingness and to discuss your expectations about guardianship. Ensure they are prepared for such a commitment.

Step 5: **Seek Legal Advice**

Consult with an estate planning attorney to understand state laws regarding guardianship and the implications of your decisions.

Step 6: **Draft Documents**

Work with your attorney to draft the necessary legal documents, typically a will or trust, to appoint your chosen guardians. This may also include a letter of intent explaining your decision.

Step 7: **Finalize and Sign**

Review the documents with your attorney, ensure they meet legal requirements, and sign them in the presence of the required witnesses or a notary.

Step 8: **Store Documents**

Safely store your legal documents in a secure location. Notify your chosen guardians of where these documents can be found if needed.

Step 9: **Communicate Decision**

Inform family members and other relevant parties of your decision to avoid potential conflicts and ensure everyone is prepared.

General Notes

Review Periodically

Regularly review and update your guardian selections as circumstances change, such as the guardian's situation or your child's needs.

Alternate Guardians

Consider appointing alternate guardians in case your primary choice becomes unwilling or unable to serve.

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