Choosing a guardian for your family

Selecting a guardian is a challenging decision, and parents often delay it. Having a roadmap to guide you through the decision can make it easier. And remember: 1) this is a backup in case neither parent can raise the kids, and 2) your choice can change over time.

1 List the people you'd feel comfortable caring for your kids

Think about:

- Parents, siblings, aunts and uncles
- People who already help with your kids
- Close friends and godparents your kids know
- Who you'd call first in an emergency

Name	Why you would trust them

2 Select the 5 factors that matter most

VALUES

- [ ] Shares our values and parenting approach
- [ ] Shares our faith or culture

ABILITY TO CARE FOR THEM

- [ ] Has the time and energy for children
- [ ] Age and health
- [ ] Stable home and finances

RELATIONSHIPS

- [ ] Close relationship with our kids now
- [ ] Would keep siblings together
- [ ] Keeps kids close to both sides of the family

LOCATION

- [ ] Lives near our kids' school and friends

OTHER

- [ ] _____

3 Evaluate the names you listed against the values that matter most

Names from step 1 go across the top, factors from step 2 down the left. Score 1 (weak) to 5 (strong).

	Name 1: _____	Name 2: _____	Name 3: _____	Name 4: _____	Name 5: _____
Factor 1:					
Factor 2:					
Factor 3:					
Factor 4:					
Factor 5:					
Total score					

4 Check the scores against your instinct

- Who would your kids want to call when they're upset?
- Whose home would they feel comfortable in?
- What are the chances their "score" could change in the next three to five years?

If your answer differs from the top score, note why: _____

5 Name your guardian

Look back at your scores and your instinct. The highest score doesn't have to be your choice. The scores only frame your thinking. Who feels right, and why?

	First choice	Second choice
Guardian Cares for your kids day to day		

If you're naming a couple, decide what happens if they separate or only one can serve.

6 Should your guardian also manage the money?

If you have a trust, your trustee manages the money you leave your kids. Without one, a court-supervised guardian of the estate manages it, files accountings, and hands everything over outright when each child turns 18. Either way, the person who raises your kids and the person who manages their money can be different people. Ask yourself:

- Does your guardian handle money well and keep good records?
- Would caring for the kids and managing the money be too much for one person?
- Would a second person managing the money help, or cause friction?

One person can take on both roles, but depending on your answers above, you may want to make your trustee choice a separate decision.

7 Take time to reflect

Wait 2 to 3 days before reaching out to anyone. Does your choice still feel right? If yes, great.

If not, what feels off? _____

Next step: Discuss with an attorney.

These decisions can be hard to make on your own, and an experienced trusts and estates attorney can help. Jay Law has extensive experience in this area. Reach out, and we'd love to help you make the right choice for your family.

Speak with Jay via info@jaylaw.co

jaylaw.co

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