

6 STEPS

TO SELECT AND NAME THE RIGHT GUARDIANS FOR YOUR MINOR CHILDREN



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DEFINE YOUR IDEAL CANDIDATE

One of your most important responsibilities as a parent is to select and legally document guardians for your minor children. This doesn't mean just naming godparents or trusting the grandparents will step in if necessary. It means consciously deciding who would raise your children if you cannot, and legally documenting your choices to make sure the people you chose know what to do if they're ever called upon.

However, most people have no idea how to even start this process, much less create a legally binding plan. Because of this, many parents simply never get around to doing it, and those who do often make one of several common mistakes even if they've worked with a lawyer.

Why? Because most lawyers haven't been trained properly to help parents with this critical issue. As a result, it's likely your children are extremely vulnerable to being taken out of your home and placed in the care of strangers or the state. This might be temporary while the authorities figure out what to do, or they could end up being raised to adulthood by someone you would have never chosen.

To help with this process, below are some basic steps to help you select and name a legal guardian. Regardless of whether you own any assets or significant wealth, it's extremely important to complete this process immediately so you know that who you care about most—your children—will be cared for the way you want.



MAKE A LIST OF CANDIDATES

Based on those parenting qualities, start compiling a list of people in your life who match those qualities. Be sure to consider not only family, but also close friends.

Though you may feel obligated to choose a family member, this decision is about what's best for your children's future, not trying to protect someone's feelings. If you're having trouble coming up with enough suitable candidates, try coming up with people who you would definitely not want as guardians, and work backwards from there.

You may also consider the person a judge would likely select if you didn't make your own choice and whether there are any other people you prefer to raise your children.



SELECT FIRST RESPONDERS

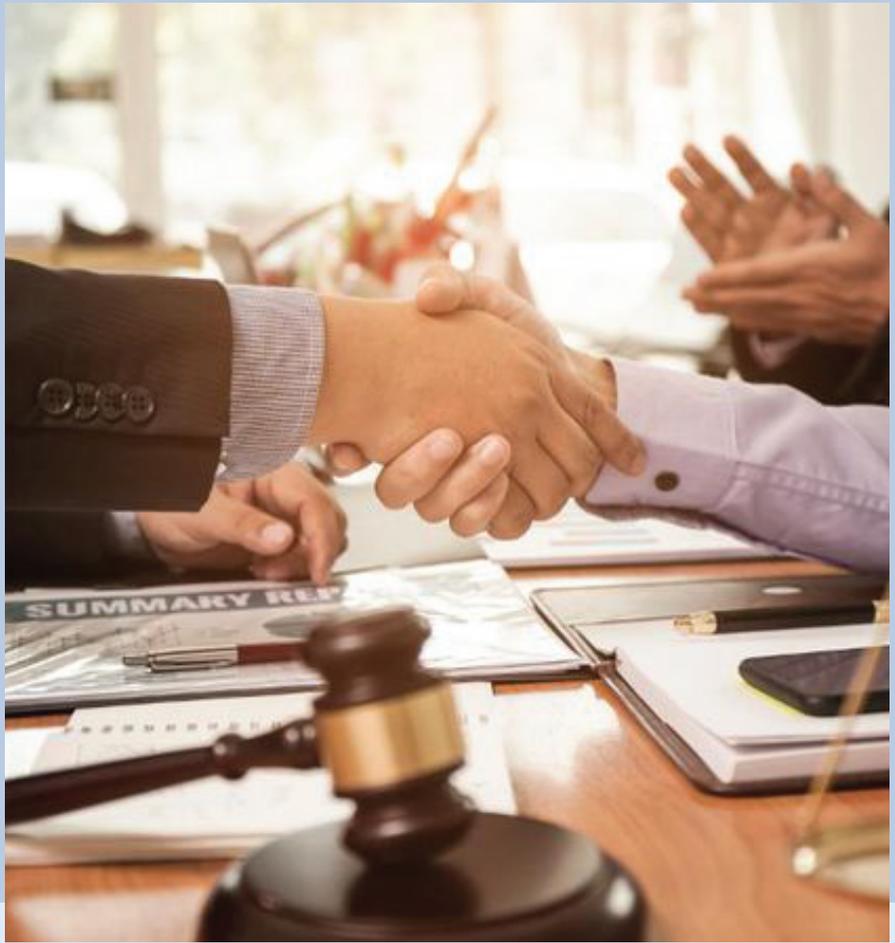
(TEMPORARY GUARDIANS)

In addition to naming long-term guardians, you also need to choose someone in your local area to be a “first responder”, or temporary guardian. This is someone who lives near you, is willing to immediately care for your children during a time of crisis, and could take care of them until the long-term guardian is notified and appointed by the court pursuant to your long-term guardianship nomination.

If your children are in the care of someone like a babysitter without legal authority to have custody of them, the police will have no choice but to call Child Protective Services and take your children into the care of the authorities. From there, your children could be placed in the care of strangers until your named long-term guardian shows up, or until the court decides on an appropriate guardian.

This is an area where plans that only name a legal guardian through a Will typically fail. Beyond naming just a long-term guardian, you need a short-term, temporary guardian who's named as the first responder and knows exactly what to do if something happens to you.

Once you've chosen your long-term guardian, it's imperative that all temporary caretakers know exactly how to contact them. This precaution is not just about your death—it also covers your incapacity and any other situation when you are unable to return home for a long period of time.





NARROW CANDIDATE LIST AND RANK CHOICE

When you've come up with all of the potential candidates for guardian, narrow down the list to your top five people. There's no guarantee that your ideal candidate(s) will be willing to serve as guardian, so having more than one or two is a practical necessity.

To aid in this process, you should consider things such as who really loves your children and who do your kids really get along with? Will this person be physically, mentally, and emotionally able to raise your kids to adulthood? The

most important thing is to choose someone, even if you aren't 100% sure about them, since you can always select a new guardian later.

Then rank your choices from top choice down to last. Again, backups are critical in case your first choice cannot serve.

DISCUSS WITH TOP CANDIDATES

When it comes to asking someone to be your child's guardian, you need to provide crystal-clear guidance about what's involved. The discussion should cover all of your expectations about how you want your kids raised. Speak openly about finances, discipline, education, spirituality, and any needs that are unique to your children.



LEGALLY DOCUMENT YOUR PLAN

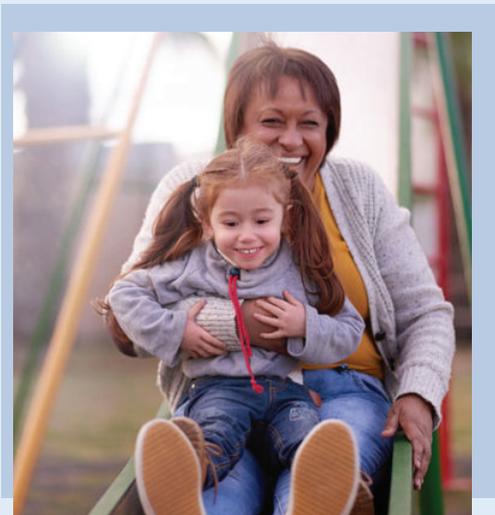
It's essential to legally document your choice as soon as possible. Verbal commitments mean nothing in the eyes of the law. This is especially true when you name a friend over a family member.



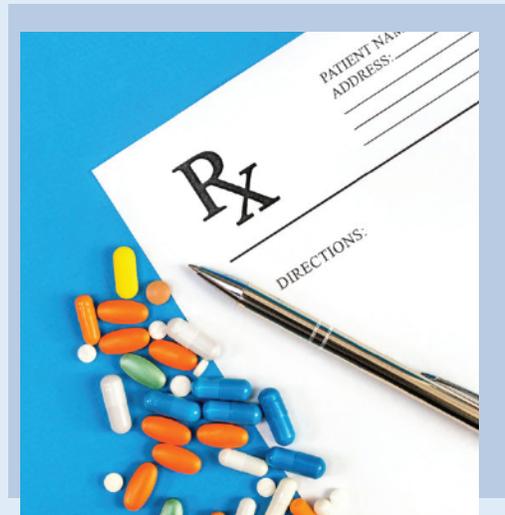
AS INDICATED IN THESE 6 STEPS, YOU NEED MORE THAN JUST NOMINATIONS OF GUARDIANS IN YOUR WILL.



Temporary guardians nominated in a separate document.



An emergency plan for babysitters, school administrators, coaches, and teachers is strongly recommended to ensure their safety



Documenting other information about your child including their physician's contact information and medications, is also essential

OUR KIDS PROTECTION PLAN INCLUDES ALL SUCH DOCUMENTS



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