

## How to Select the “Right” Guardians For Your Child

How much time and thought do you put into selecting a baby-sitter? When you are going away for a long weekend is your list of possibilities even shorter? And, are the factors you’ll consider different when you’ll be away for a few hours in the evening versus when you’ll be gone for three or four days?

There is approximately an 11% probability you may die before your child reaches age 20. Most likely you’ll be part of the 8 out of 9 club who live to see their child successfully launched in life. But the potential harm from failing to thoughtfully select and “guide” a Guardian for your child is so great, it’s imperative you make sure that will never happen in your family.



While it’s very tough to think about not being there to raise your children, it’s even more depressing to think about what will happen, in terms of the legal process, if you were to pass away without completing the important parental responsibility of naming a carefully selected guardian in your will. Without a will to guide a judge in naming the guardian for your child, there is a risk that your child may be placed in a foster

home temporarily while the court sorts out who will be the best guardian. And, what if your relatives and your spouse’s relatives end up sparring in a courtroom over who would be the best guardian? Or what if the two families come to an agreement quickly, BUT it is a person who you feel strongly wouldn’t be a good choice. Now you have a sense for why it’s so important for you to select a guardian and get that choice effectively stated in your will.

### **Suggestion #1: Make a List. Consider it Twice.**

Here’s a suggestion to get you started. Use the table and step-by-step instructions at the end of this handout. Quickly write down all of the people you know who you would trust to nurture and raise your children. Don’t limit your list to close family members. While parents and siblings may be an excellent choice, extended family members and close friends should be on your list. Keep a completely open mind at this point. You’ll scratch people off this list in just a bit. But for now strive to get at least five to ten different people on the list.

Now to help you thoughtfully narrow the list, here's some questions to consider before you go over your quick list a second time:

- **Age/Health Factor** How old will this individual be when my youngest child reaches adulthood? Is their health and energy sufficient to keep up with my child?
- **Time/Lifestyle Factor** How would raising young children or teenagers fit into this individual's lifestyle? How much time and energy does this individual have to devote to parenting responsibilities?
- **Geographic Fit Factor** How difficult on my child would it be to uproot them from where we are living today? How close does this potential guardian live to other "very influential persons" (VIPs) in my child's life?
- **Family Chemistry Factor** How well would this individual relate with and cooperate with the other VIPs that I'd want to make sure stay connected with my child?
- **Cinderella Factor** If this individual has children of their own, will they be able to avoid having my child feel like Cinderella?
- **Role Model and Parenting Style Factor** Is this individual the type of role model I want for my child? Is their parenting style or personality a good fit for my child?

Now you are ready to go through the quick list table in the Exercise at the end of this handout. Read the Step 2 instructions in the Exercise and then grade each prospective guardian on how they measure up with each of these factors.

**Suggestion #2: There is no Perfect Guardian. But there are Good, Better and Best Guardians.**

No one will be as good as you at parenting your child. So don't try to find the perfect guardian. Just narrow your list to those who would be the better or best guardian **today**. Five years from now you might make a different selection. But look for the Good, Better and Best choices at this time.

Here are some additional items to consider in helping you get to this Good, Better and Best choices:

**Finances and Housing Considerations:** Don't rule someone out because of their finances or the size/type of their home. You can take care of the finances with how you set up a trust for your child and with the types of specific guardian assistance and expenditures clauses you include in your will. You can even instruct your trustee to provide funds for your chosen guardian to build an addition to their home or move to a larger home to accommodate your children. You should also look carefully at the amount of life insurance you have and consider all of your liabilities. Creditors will have to be paid off at your death and generally take first priority over your heirs. So make sure you have adequate life insurance and not just enough to cover the mortgage, student loans and credit card obligations.

**The Love and Relationship Quotient:** Certainly one of the most important things to consider is the personality fit between a potential guardian and your child. Is the guardian a warm and

loving individual? Does personality match well with the type of personal traits and character value you look for in your closest friends. If so, there is a high likelihood they'd be a wonderful guardian for your child because they'll reflect the positivity and values you'd want your child emulating. In addition to love, do they have patience and the right degree of discipline and firmness. Guardians sometimes have to say no and you want to make sure your choice will be able, if necessary, to exercise tough love.

On the relationship side consider whether it is important to you to have a couple raise your child or are you comfortable designating a single individual as the guardian. Even if someone seems to be in a committed and long-term relationship, we know how fragile marriages can be. So give some thought to the question of whether you are designating an individual or are you designating two individuals who are a couple and in the event of their divorce who would you want your child to end up with as guardian? Or would their divorce mean you feel that the choice of a new guardian should be considered by your Trust Protector or Guardian Panel?

**The Values and Beliefs Equation:** How important is it that the people on your final list closely share your values and life philosophies? Are they in sync with your religious beliefs and spiritual practices? Do you admire their moral values and integrity? What about their educational and social values? Will they be a positive influence on the education and social maturation of your child?

### **Suggestion #3: Consider the Possibility of a Temporary and Permanent Guardianship Arrangement**

Depending on where the permanent guardian lives and what their circumstances are, it may not be possible or desirable for them to assume immediate custody of your children in the event of your untimely death. That might be due to the fact they live a considerable distance away from you and you want your child to finish the school year. Or perhaps you aren't killed in an accident, but injured so severely someone else needs to care for your child while you are recovering and getting back on your feet. If you have relatives or close friends who live nearby who might work well as temporary guardians but because of age or other considerations probably aren't ideally suited as the permanent guardian, you should consider naming both a temporary guardian and permanent guardian and explain the circumstances you feel should guide how long the temporary guardian serves before the permanent guardian assumes full custody of your child.

### **Suggestion #4: It Takes a Village to Raise a Child -- Consider Using a Child Advocate**

What if something happens in the life of the guardian you have designated after they've begun to serve that makes it difficult or unwise for them to continue. That could be a physical or

mental health crisis, a marital dissolution, or perhaps special needs which begin to emerge in your child's life which the guardian is ill-equipped to handle. The Child Advocate/Protector is a person you nominate—could be a family member, god parent or close friend who you entrust with looking out for your child, evaluating how well the guardian is doing, and recommending to a court who she/he believes you'd want to take the place of the currently serving guardian. You don't want unnecessary disruptions in your child's life so you may want to caution the Child Advocate/Protect to reach a high level of confidence a change needs to occur before they replace one guardian with another, particularly if it would be someone you didn't consider and approve. You'll also want to coordinate this with your will/trust document so that there is language authorizing the trustee to provide funds to the Child Advocate to hire a lawyer to initiate a judicial proceeding if needed.

**Suggestion #5: Ask Before You Name.**

Don't just assume because someone has made it to the Best Choice on your list that means you are done. Don't presume they will be willing to take on this responsibility. Don't let it become a complete shock to your Best Choice at your passing. You've probably seen some funny and sad movies where that is the storyline. It's important for you to get their permission to give their name to your lawyer to include them in your will as the guardian. Find out what questions they have. And consider helping them by creating the Guardian's Roadmap, a tool which will help guide them and give them a deeper glimpse into what your hopes and dreams were.

## How to Select the Best Guardian for Your Child in Four Easy Steps

### The First Cut

Step #1 – In the Table Below List Everyone Who Comes to Mind—Family, Friends and Neighbors

Step #2 – After You Have Come Up with at Least Several Possibilities, Reflect Carefully About Each Individual and Place a Plus Sign (+) in Each Factor Box Where You Feel They Would Be a Good Fit

Potential Guardian	Age/Health Appropriate?	Geographic Fit	Chemistry Fit	Time/Health Fit	Cinderella Factor	Role Model/Parent Style

Step #3 – Now look at the whole picture. Are there two or three individuals who stand out and should be in your Final Selection Process? Without ranking them, write their names below:

\_\_\_\_\_

\_\_\_\_\_

Step #4 – Did you take someone out of consideration because of housing or financial considerations? After reading the **Housing and Finance Considerations** is there anyone you should add back into the mix for this Final Selection Process. Now carefully read the **Love Quotient** and **Values and Beliefs Equation**. Go back over your finalists. Which of them most

closely matches up with what you'd like to see in terms of the Love Quotient and the Values and Beliefs Equation. Write the words "Best Choice" next to that individual's name above.

An Important and Final Suggestion – Don't Leave Your Guardian in the Dark. Consider leaving them with helpful guidance like that suggested in The Guardian's Roadmap Exercise or My Parenting Bucket List. I'd be happy to provide you with these exercises and guide you through them.