

## *Choosing the Right Guardian for Dependents*

Caring for and raising your family is one of life's most rewarding privileges. Have you ever thought about who would manage this responsibility if you couldn't? It's something no one wants to consider. Yet choosing a legal guardian for your dependents is among the most important decisions you'll make when putting your final matters in order. Once accomplished, it may bring you more peace of mind than you expect to.

### *What's a Legal Guardian?*

A legal guardian is a person you appoint to take legal responsibility for the personal and property interests of your dependent children or adults. A legal guardian essentially assumes your parental role - caring and providing for your children or dependents in every way - including physically, emotionally and financially.

### *Why and How Should I Appoint a Guardian?*

Without a will in place or you do not name a guardian in your will, the court determines who gets custody of your dependents if you pass away or become incapacitated.

Name the guardian(s) you want to be legally responsible to raise and provide for your children or other dependents if you become unable in your will or trust. Consult a family law attorney to help you meet the requirements for appointing a legal guardian.

### *How Do I Decide?*

There are many important considerations when appointing a legal guardian. Choose a trustworthy adult who is capable of physically, emotionally and financially caring for your minor dependents into adulthood. Consider someone who loves, cares for and respects your dependents' individual needs. Think about whom your dependents most love and respect also.

Discuss potential candidates with trusted loved ones and advisors to consider all options and to encourage a peaceful, cohesive transition if guardianship becomes necessary. Some people name one guardian to care for dependents and another to oversee their assets and finances.

### *What Happens in Court?*

If your child's parent can assume guardianship, the court typically grants custody to that person – even if you've named another guardian in your will. If that parent is unable, the court appoints someone who will best serve your dependents' interests if you have not done so in your will.

Although the guardian named in your will is often given the strongest consideration, a judge from Family, Probate, Juvenile or District Court makes the final decision about who will be your dependents' legal guardian.