

# Naming Guardians

As a parent of a minor child or children, one of your greatest responsibilities in your estate planning is to name a guardian for your children in the event that you are not there to care for them any longer. For many parents, choosing a guardian is a difficult task. It can be very emotional and uncomfortable. It's hard to imagine not being there for your children, and since no one could ever be the parent to them that you are, it's hard to pick anyone. No one can love them as much as you do, and no one can ever take your place. So how can you pick someone?

It may be helpful to realize that you're not looking for someone to become your children's new Mom or Dad. No one can replace you. What a guardian does is take responsibility for your child or children, making sure that they receive the care and love that they need. The guardian is responsible for seeing to it that your child is safe and secure, and is being cared for emotionally and physically. The guardian can't replace you, but can step in and provide for your children. If you choose your guardians correctly, you can name the person or persons who would be the next best thing to you being there. In this brief article, we'll look at the 4 steps involved in choosing the right person or persons.

When deciding who you should name as the Guardian of the Person for your children, you will have to go through a process involving (1) identifying potential candidates, (2) listing factors or characteristics that are important to you, (3) matching your candidates to those characteristics, and then (4) having a discussion with your top candidates.

Let's look at each step in a little more detail.

## Step One: Identify Potential Candidates

You'll need to make a list of everyone you know who might possibly be a good guardian for your children. It's not important (at this point) whether you think that they would agree to serve, or whether the circumstances would be ideal. When considering whether someone should be on the list, ask yourself, "Would they provide a better home for my children than foster care?" If the answer is yes, you should put them on your list.

## Step Two: Identify Important Factors and Characteristics

Now that you have a list of people as potential candidates, you need a way of identifying which of them would be the best choices for you and your family. Factors to consider when choosing a person to serve as Guardian of the Person may include the prospect's:

- Family Relationship
- Marital Status
- Children in their Home
- Age

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- Maturity
- Location
- Financial Stability
- Or anything else important to you

### **Step Three: Match Your People to Your Priorities**

The next step is to use the factors you chose in Step Two to narrow down your list of candidates. Obviously, the perfect choice would score highly on every measure that is important to you. However, it's unlikely that any one person could match up exactly on every issue as the perfect choice; you will likely have more success in choosing the few factors that are most important to you.

You'll need to rank the people on this short-list in the order you would want them to serve if needed. It's advisable to have at least a first choice and a second, although you can name as many people as you need in order to be comfortable in knowing that your children would be provided for in a way that matches your wishes.

### **Step Four: Talk with your Prospective Guardians**

Before you have your Will drawn up, you should speak with the people you're considering nominating as Guardians. If you aren't sure about someone's parenting style, and that ranked high as an important factor to you, speak with your prospects and find out their philosophy for raising children. If it's important to you that your Guardians have a certain religious faith or value system, find out if your potential Guardians have what your children will need.

I have written a Special Report entitled "Choosing Guardians: 4 Steps to Picking the Right People to Care for Your Children," which goes into more detail on each of the steps and includes worksheets for going through your selection process. If you would like a copy, please contact us and we'll be glad to get one right out to you.

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