

Parental priorities: How to choose a guardian for your child

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If you have minor children, arguably the most important estate planning decision you need to make is choosing a guardian for them should the unthinkable occur. If you haven't yet made this decision, formalize your choice as soon as possible.

When it comes to choosing the best candidate, you probably already have a short list consisting of members of your immediate family. This is an excellent start, but don't forget about extended family members and trusted friends.

Things to consider

There are many issues you'll need to consider in making your decision. Perhaps the most important issue is whether you and your guardian choice share similar values, such as parenting philosophy, religious and moral beliefs, and educational views.

Usually, a family member or friend who shares your values is a good candidate. But even if your brother, for example, doesn't share your religious beliefs, it doesn't mean you should cross him off your list. You likely won't find a person who shares *all* your values.

Here are a few questions to consider when evaluating potential guardians:

- Do they want to serve as guardians?
- Does your estate plan provide sufficient resources so that caring for your children won't cause an economic hardship for them?
- If they're married, is the marriage stable?
- If they have children, do your children get along with them?
- How old are they in relation to your children? A grandparent or other older person may not be the best choice to care for an infant or toddler, for example.
- Are their homes large enough to make room for your children?

Don't let the court decide

If you fail to name a guardian in your will, a court will appoint one should it become necessary. The court will base its decision on its assessment of the best interest of your child.

But that assessment may be different from your own, and its selection may not be your first choice. So, it's important to choose who you want to serve in that position. This is typically handled through a will, though procedures can vary from state to state.

Make a decision

After giving it some hard thought, it's time to make a final decision. In addition to identifying your first choice, select one or two alternatives. If your first choice decides he or she isn't up to the responsibility, you can turn to others.

When asking the person to be your child's guardian, ensure he or she clearly understands your expectations and a guardian's responsibilities. In addition, give the prospective guardian time to consider your proposal. It isn't a responsibility to be taken lightly.

Most parents select a guardian during the process of making a will or estate planning. Please contact us with any questions.

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