

A difficult decision: Choosing a guardian for your children

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If you have minor children, choosing a guardian to care for them should you die unexpectedly is one of the most important estate planning decisions you must make. It's also one of the most difficult. So difficult, in fact, that avoiding it is one of the most common reasons people put off drafting an estate plan.

If you're hesitant to name a guardian for your children, consider the alternative: A court will name one, without any prior guidance from you. So it's important to choose a guardian now, while you still have a say in the matter.

Here are four tips to guide you in making your selection:

- 1. Take inventory.** Make a list of potential guardians — people you trust to love and care for your children. Don't limit yourself to immediate family members. Extended family members and friends may also be good choices if they have a close relationship with your children and share your values.
- 2. Make value judgments.** Consider the values that are important to you, such as religious and moral beliefs, parenting philosophy, educational values, and social values. Determine which people on your list share these values most closely.

Remember, you're not likely to find a perfect match, so you'll need to prioritize your values. For example, is it more important to you that your guardian share your religious beliefs or that he or she share your parenting philosophy? Can educational values take a back seat to social values?

- 3. Consider age.** The age of the guardian as well as the ages of your children are factors to consider. If your children are very young, a grandparent or other older person may not have the energy to keep up with them. And remember, if a guardian becomes necessary it means that something has happened to you. Choosing a younger guardian reduces the risk that your kids will go through the trauma of losing another loved one.
- 4. Don't dismiss the possibility of separate guardians.** If you have more than one child, it's generally best for all concerned to keep the siblings together. But sometimes it's preferable to split them up. This may be the case if you have children from different marriages, if your children are far apart in age or if they have special needs that are better served by separate guardians.

After you narrow your list of potential guardians to a primary choice and one or two alternates, discuss your plans with them. You can't force someone to act as your children's guardian, so it's critical to talk with all the candidates to make sure they understand what's expected of them and that they're willing to take on the responsibility. If your children are old enough, get their input as well. Please contact us with any questions regarding choosing a guardian.

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