

"If I am not here, take good care of the children."

That is what we say when we appoint a guardian for our kids. By definition, the guardian is needed while the children are legally minors, and the guardian must be an adult. The guardian takes care of the child as a young *person* – making the health, educational and disciplinary decisions. A prerequisite is that we fundamentally trust the person we nominate as guardian. Guardians need not be fountains of child-rearing wisdom, just decent people.

Appeal first to your gut. Who do you like in this situation? Who must you rule out from immediate family, for various reasons? You do not need to over-analyze. You usually know who to select, or to dismiss.

Don't delay. The two of you cannot decide. *Neither* of you cannot decide. *Flip a coin.* Happy? Leave it. Unhappy? Agree to sleep on the decision *for one night.* Write a reminder to yourselves and post it on the refrigerator if you have to, in order to decide the next day. As a further reassurance, BWG will change your guardian for you in a codicil to the will *without charge* for the first change.

Age and Health. While we like to have a guardian who is reasonably healthy and energetic, it may be sufficient that they have the wherewithal to see to the kids' needs – with help. This is often true of grandparents, who possess the love for the children, but lack youthful energy. If they are able to get around and will be for the immediate future, never mind! Name a contingent guardian, if you can, or make a change in a couple of years. Let the guardian know that it is O.K. to decline to serve and let the alternate take over. Guardians do not need to have custody. You can nominate younger or close-by persons, even non-relatives, to have custody, leaving some decisions to the guardians, for example.

Settle. Occasionally, we are just not happy with our options and we have no choice but to believe that, where the guardians' good sense might leave off, they will seek assistance and will rise to the occasion.

Other factors to consider when weighing the guardian: Trust the gut. When the gut fails, consider:

- The Court will listen to the child age 14 or older for his or her choice of guardian. This can be good, or something you want to be sure you avoid by making your own selection.
- Consider the living and family situation of the guardian, proximity to other family.
- Consider the need/desire to visit with grandparents, other family or friends. This is usually natural and incumbent on the guardian, but it is best to state a preference for contact with relatives, if it is a concern.
- Is there a desire for particular education or religious upbringing. We can state this if it is a concern.
- Regardless whether the guardian has kids, is he/she likely to be able to become the parent in your absence anyway?
- Guardians may be couples, but do not have to be. We often state that only the blood relative is the guardian, not the spouse, if that concerns you.
- The last thing you should be worried about is "what will so and so think if she/he is not selected or once selected as guardian. You can restate your entire will or Standby Guardianship appointment so that the change is not obvious.

Finances troubling you?

- Provide an annual stipend for the guardian to supplement their own household, which may be stretched given the new responsibilities? Sometimes it helps to know that you will not be burdening the foster household with more than they can handle. You can ease this burden by providing a modest subsidy to the guardians themselves, in a monthly or annual amount.
- Need to provide housing for the guardians to be able take my family in? Your home, perhaps? Allowance to add on or provide a down payment (if you can afford to provide for this)? Limit the extra provisions – we can help you with a formula based on the number of years left necessary to provide a home for your children.
- Another party is often chosen as the trustee over the children's funds. Your guardians do not need to be financial wizards.

Make sure you have first tried the gut test. Remember: BWG will change your guardian *without charge*.