



Guardianship

A guardian is someone that you name in your will as the person who you want to become legally responsible for your child, if they are orphaned before they reach the age of 18.

Who can I appoint?

Anyone that you trust can be appointed as a guardian; however there are a few things you may wish to consider:

- The guardians' age.
- How you feel about their parenting skills and values.
- If they can provide a stable family life.
- What their relationship with your child is currently like.

How many Guardians can I choose?

You can choose only one if you wish, but it is advisable to choose at least two, this is in case the first guardian is unable to fulfil their duties for any reason. Your chosen guardians can be single adults or couples.

How can I appoint guardians?

You are only able to appoint guardians if you have parental responsibility for the child. In order to legally appoint guardians for your children, you must name them as your chosen guardians in your will. It is advisable to discuss this with them before doing so to ensure that they would be willing to accept legal responsibility for your child in the event of your death.

What are the roles and responsibilities of a Guardian?

As a guardian for your children their main roles and responsibilities will be:

- To take care of the child on a day-to-day basis, as a parent would.
- Make important decisions about the child's health, education, welfare etc.
- Guardians can also be appointed as a Trustee for anything that is held in trust for the child.

What happens if I don't appoint Guardians?

Many people believe that a close relative, such as a Grandparent, Auntie or Uncle will automatically become legal guardians for their children. Unfortunately in reality it is not that simple.

If you pass away without a will, but the other parent survives, then they usually continue to have full responsibility for your child. However, if both parents pass away, and guardians have not been appointed, the courts will appoint someone instead. This may not be someone that you would choose to take care of your child, and could be someone who is not related or even known to your child.

Although the courts may do their best to find a suitable relative to take care of your child, until one is found your child may be placed in care. For those with more than one child: there is no guarantee that all of the children will remain within the same family.

The only way you can decide who has legal responsibility for your child after your death, is to appoint guardians. Contact us today to appoint yours!

