

## **Standby Guardianship Part 2. Choosing a Standby Guardian**

Hi there. If you're thinking about standby guardianship, one of the most important things you'll do is choose someone to be standby guardian. You'll want to choose wisely. Let me explain.

The person will step in to care for them if you are unable to do so for serious health reasons or because of an adverse immigration action. This can be a difficult time in your kids' lives. Picking the right person, setting expectations, and setting everyone up for success will help your kids adjust.

### **CHAPTER HEADING: THE STANDBY GUARDIAN'S ROLE**

The standby guardian's role is to step into your shoes when you can't be there for your kids. The person you pick should be someone you trust and, ideally, someone your kids know.

You can choose to have the standby guardian serve as guardian of the person, guardian of the property, or both. A standby **guardian of the person** can make decisions about things like your child's education, medical care, food, housing, and other personal needs. They may be able to receive benefits on behalf of your kids and travel with them. A standby **guardian of the property** can make decisions about any money or property your kids have or apply for benefits on their behalf.

If you have a standby guardian in mind, setting expectations for them is important.

### **CHAPTER HEADING: SETTING EXPECTATIONS**

Serving as a standby guardian is a big responsibility. Talk to the person and make sure they understand what's expected of them.

The standby guardianship process involves paperwork that lists the types of decisions the standby guardian is allowed to make. Be sure the person you choose understands what they can and can't do. They will need to follow instructions from you and the court.

Ask the standby guardian how they feel about going to court. The standby guardian will need to provide the court with information about themselves, including if they have been charged with or convicted of any crime. They will also need to file paperwork, make regular reports, and respond to requests for information. The court can remove the standby guardian if they do not meet their responsibilities.

Make sure the standby guardian is comfortable taking on these responsibilities. They should be good at keeping paperwork organized, following instructions, and meeting deadlines.

Once you have selected a standby guardian, there are steps you can take to set them up for success.

### **CHAPTER HEADING: SET THEM UP FOR SUCCESS**

Talk to them about your expectations and your values, preferences, and wishes for your kids. Talk to your kids about the role the standby guardian may have in their lives. Ask them how they feel about it. Include any other parental figures in these conversations if you can.

Give the standby guardian important information about your kids. This may include information about their school, doctors, allergies, medical conditions, health insurance, and important people in their lives.

**Standby Guardianship (Part 2): Choosing a Standby Guardian**

If the standby guardianship is based on your mental incapacitation or physical debilitation, talk to your doctor and the standby guardian about the documentation that will be needed. I talk more about this in Part 5 of this series.

Make sure they have access to or copies of important documents. This includes birth certificates, passports, driver's licenses, Social Security cards, and court orders. Ask them to keep these in a safe place.

I hope this has been helpful.