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PERSONAL FAMILY LAWYER®

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## 10 Guardian Mistakes That Could Put Your Kids at Risk (And How to Do It Right)

Imagine this: something unexpected happens, and you're suddenly unable to care for your children. It's a parent's worst nightmare. In this situation, you'd want to know that your kids will be loved, cared for, and raised according to the values you hold dear. But have you taken the right legal steps to ensure that happens?

Many parents mistakenly believe that simply naming guardians in their will is enough to protect their children. Unfortunately, this isn't always the case. There are common mistakes that can lead to legal battles, family conflicts, and even put your kids' well-being at risk. What if something happened to you tomorrow? Would your children end up in the care of strangers, even temporarily, because you didn't have a plan in place for their immediate care?

Don't let that happen. By working with a Personal Family Lawyer® firm, you can avoid these pitfalls and create a rock-solid guardianship plan that provides true peace of mind – knowing that, no matter what, your children will always be raised by the people you love most.

### The 10 Common Mistakes Parents Make When Choosing Guardians

#### 1) Thinking a Will is Enough

A will is essential, but it only kicks in *after* you're gone. It doesn't cover situations like sudden illness or incapacity. You need separate guardianship documents specifically designed to address these "what if" scenarios *while* you're still living\*.



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## **2) Planning Only for the Long-Term**

If something were to happen to you today, who would take care of your kids \*right now\*? Don't just plan for the long haul – you also need to designate short-term guardians to prevent your children from being placed with strangers, even temporarily, while the authorities sort things out.

## **3) Not Naming a Guardian at All**

This might seem unthinkable, but it happens. If you don't formally name a guardian, you're leaving one of the most important decisions of your life up to the courts. This could mean your children end up with someone you wouldn't have chosen.

## **4) Overlooking Backup Guardians**

Life is unpredictable. Your first-choice guardians may not always be available or able to step in. Always name multiple backup guardians to ensure there's a safety net if your primary choice is unable to serve.

## **5) Choosing Guardians Based on Financial Ability Alone**

Money matters, but it shouldn't be the \*only\* factor when choosing who will raise your children. Your children's well-being depends on being raised in a loving, supportive environment aligned with your values. Consider factors like location, lifestyle, parenting philosophies, and the overall compatibility of your chosen guardians with your family.

And remember, you can always choose a separate financial guardian, or appoint a Trustee of a Trust, to specifically manage any money you leave behind for your children – this can be a separate role from their daily care.

## **6) Assuming Godparents are Legal Guardians**

Many people use the terms "godparent" and "legal guardian" interchangeably, but they aren't the same. Verbal agreements or informal designations hold no legal weight. To make your wishes legally binding, you need formal guardianship documents prepared by an experienced professional.

## **7) Not Thinking Beyond Guardianship**

Guardianship isn't just about who will raise your kids – it's also about who will make important financial and healthcare decisions on their behalf. You'll need powers of attorney and other legal tools to ensure these matters are handled according to your wishes.



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### **8) Failing to Communicate Your Wishes**

Don't leave anything to chance. Clearly document your values, your parenting preferences, and any specific instructions you want your guardians to follow. This guidance will provide invaluable support as they navigate the challenges of raising your children.

### **9) Not Reviewing and Updating Your Plan**

Life is constantly evolving. Your family dynamics change, your children grow, and laws are updated. It's vital to review and update your guardianship plan regularly to ensure it still reflects your current circumstances and wishes.

### **10) Naming a Couple Without a Contingency Plan**

Relationships evolve. Sadly, even the most solid couples can face unexpected challenges like divorce or separation. It's vital to think about what would happen to your children if your chosen guardians were to split up. Would one person become the sole guardian? Would they share custody? Outlining these details now can prevent future conflict and heartache.

## **There's a Better Way: Create a Kids Protection Plan**

A Kids Protection Plan® provides comprehensive protection for your children, so you never make one of the ten mistakes and put your children at risk of being raised by someone you'd never want to raise them (or worse, ending up in the foster care system). Unlike a traditional estate plan that simply names guardians, a Kids Protection Plan creates a complete safety net that addresses both immediate and long-term care needs.

Every Kids Protection Plan I create with clients includes legal documents that ensure your children won't be placed in the care of strangers or the foster care system, even temporarily. It provides detailed instructions for emergency responders and caregivers, identifies temporary guardians who can step in immediately, and includes medical powers of attorney so your children receive proper healthcare in your absence. Perhaps most importantly, it creates a roadmap of your values, hopes, and dreams for your children's upbringing. With a Kids Protection Plan, you're not just naming someone to take your place - you're providing them with the guidance and legal authority they need to raise your children exactly as you would want.



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## Ready to Protect Your Kids?

Your children depend on you. Don't leave their future to chance or riddled with loopholes. With a Kids Protection Plan created by my Personal Family Lawyer® firm, you can rest assured knowing that your children will always be in the most capable and loving hands, no matter what life throws your way.

Ready to take control and build that plan? Schedule a free 15-minute call with me today. I'll answer your questions, address your concerns, and help you take the first step toward securing your children's future.

Click here to book your call and get started:

<https://calendly.com/lauren-tlppc>

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