



7 Mistakes Parents Make With Guardianship

And How to Avoid Them



ARCH LEGACY FIRM

We are a Team of Moms who want to help other parents protect their families. Our mission is to make Estate Planning as stress-free and meaningful as possible.

Estate planning is more than just money and assets. It is protecting your family from court & conflict. It is ensuring that your family has a trusted advisor to turn to in their time of need. It is making sure your minor children are protected no matter what.

It is leaving a LEGACY.

Trish Butcher
Owner and Attorney

Naming Guardians



As parents, we'll do anything to protect our kids. But what happens if something unexpected happens to us? Who steps in to care for our children, and will the court honor our wishes?

Unfortunately, most parents make mistakes when it comes to naming guardians, leaving their kids at risk of court delays, family conflict, or worse. Here are the top seven mistakes, and how you can avoid them.

7 Mistakes Parents Make With Guardianship



1

Mistake #1: Not Naming Any Guardians at All

If you haven't legally nominated guardians, a judge (who doesn't know your family) will make the decision. This could mean your children end up with someone you wouldn't choose, or even in temporary foster care.

How to avoid it: Put your choices in writing with a valid and legally executed Will.



2

Mistake #2: Naming Only One Guardian

Life happens. What if your chosen guardian moves away, gets sick, or is otherwise unable to serve?

How to avoid it: Always name backups. Think of it like a bench—you want depth so your kids are covered no matter what.

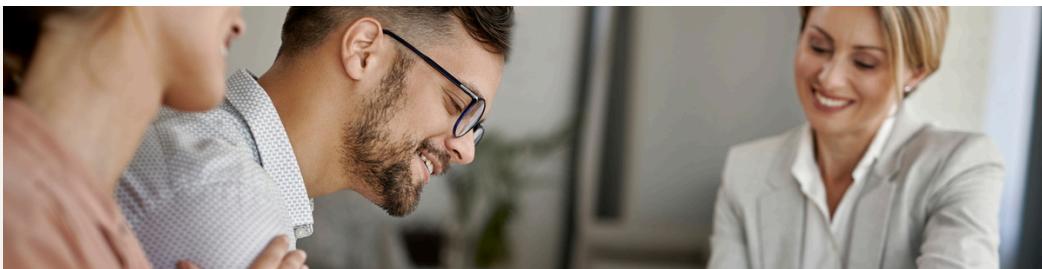


3

Mistake #3: Assuming Godparents Are Legal Guardians

Being named a godparent in a baptism or family ceremony doesn't carry legal weight in court.

How to avoid it: Make sure your legal documents reflect your true wishes, even if they match your godparent choices.



4

Mistake #4: Not Naming Emergency Guardians

Even if you've chosen permanent guardians, what happens if something happens to you tonight? Without emergency guardians named, police may have no choice but to call Child Protective Services until the court sorts things out.

How to avoid it: Name short-term guardians (trusted friends or neighbors) who can step in immediately until your permanent guardians arrive.



5

Mistake #5: Not Leaving Clear Instructions

Even if you've chosen the right people, failing to leave instructions can create confusion... about medical care, finances, or even daily routines.

How to avoid it: Leave written instructions for your guardians, and update them as your kids grow.



6

Mistake #6: No Minor Medical Powers of Attorney

If you're unavailable, babysitters, grandparents, or even your child's emergency guardians may be unable to make medical decisions in a crisis. Hospitals can be stuck waiting for a court order.

How to avoid it: Sign minor medical powers of attorney so trusted caregivers can get your child immediate medical care if you can't be reached.



7

Mistake #7: Forgetting to Update Choices as Life Changes

The person who seemed like the perfect guardian when your child was a baby may not be the right fit years later. Divorce, relocation, or lifestyle changes can all affect your choices.

How to avoid it: Review your plan every few years or after major life changes.



Protect Your Family

You've worked hard to protect and provide for your kids. Don't leave their future up to chance.

Download our Guardian Nomination Worksheet (bonus resource) or schedule a free 15-minute consultation at www.archlegacyfirm.com/schedule to make sure your kids are fully protected.

[CLICK HERE TO SCHEDULE A FREE CONSULT](#)

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