Guardianships and Conservatorships

Get Peace of Mind by Naming a Trusted Guardian and/or Conservator

Making plans for your finances and other assets is an important part of [estate planning](https://bedlamlaw.com/estate-planning/). However, there is more to estate planning than just wills and trusts. Identifying who will take care of your children, should it become necessary, or who will help take care of you if you become incapacitated, is also a critical step. Guardianships and Conservatorships are the legal designation used to identify who will be appointed to make legal decisions on behalf of another individual should it become necessary.

Guardianships for Children

While it can be difficult to even think about, planning for what will happen to your minor children should you die or become incapacitated is extremely important. If you have minor children, or adult children who require your care, it is absolutely essential that you have the right legal documents in place to ensure they are properly cared for if you pass away or are otherwise unable to care for them.

Adult Guardianships

A time may come in your life where you may require a guardianship if you become unable to care for yourself due to infirmity or incapacitation. This can happen if you are involved in an accident, or if you develop a condition such as Alzheimer’s Disease. No matter the cause, having a trusted individual who will make decisions on your behalf is very important.

Additionally, a time may come where you find it necessary to seek to become a guardian for a loved one. Kelley Law can assist you in planning for all aspects of a guardianship and carrying out your duties should you ever be appointed a guardian.

Types of Guardianship

There are two main types of guardianship. You can name one person to be both guardians, or a different person for each. The two types are:

* **Guardian of the Person –**Establishing a guardian of the person is simply deciding who will provide the direct care for an individual. The guardian will be able to make decisions on the individual’s behalf on things like where they go to school, what medical procedures they receive, and all other day-to-day life choices for the ward.
* **Guardian of the Estate (aka. Conservator) –**This type of guardian will handle all legal and financial decisions. When taking care of an adult, the guardian of the estate will pay bills, handle investment decisions, and all other business aspects of the world. When taking care of an individual, they will pay any incurred expenses, and ensure any financial accounts are properly managed until the ward is no longer in need of guardianship.