

## **GUARDIANS**

### *LOOKING AFTER WHAT IS MOST VALUABLE – YOUR CHILDREN*

- Everyone who has children under 18 should appoint Guardians to look after their children in the event of their untimely death. For this reason it is more important that parents of young children make a Will than elderly people.
- Guardians are appointed by someone who has parental responsibility for a child – and the appointment passes on parental responsibility.
- The birth mother always has parental responsibility. The father only has parental responsibility in the following instances:
  - if he was married to the birth mother at the time of the birth – or subsequently marries her
  - if he was awarded parental responsibility either through a parental responsibility agreement with the birth mother, or through a court order.
  - if the child was born after 1<sup>st</sup> December 2003, if he is named on the child’s birth certificate.
- Unmarried fathers of children born before 1<sup>st</sup> December 2003 do not therefore have parental responsibility. If the birth mother wants the natural father to look after their child after her death, she must make a Will to appoint the father as Guardian.
- If everyone who has parental responsibility has died, the local authority will have parental responsibility and be responsible for care of the child – which may be with relatives, or foster carers or in a residential home.
- Guardians will be responsible for looking after children until they become 18. In choosing Guardians you should consider:
  - Age – will they be able to cope with bringing up very young children or be able to control children in their teenage years?
  - Location – will your children have to move school and be separated from their friends?
  - Finances – will they be able to accommodate your children? Trusts can be set up in your Will to provide income and capital for your children’s benefit. Further provisions can be made for Guardians.
  - Religious/moral issues – do the Guardians have religious or other beliefs that are compatible with the upbringing that you would like your children to have?

## **GUARDIANS**

### *LOOKING AFTER WHAT IS MOST VALUABLE – YOUR CHILDREN*

- Everyone who has children under 18 should appoint Guardians to look after their children in the event of their untimely death. For this reason it is more important that parents of young children make a Will than elderly people.
- Guardians are appointed by someone who has parental responsibility for a child – and the appointment passes on parental responsibility.
- The birth mother always has parental responsibility. The father only has parental responsibility in the following instances:
  - if he was married to the birth mother at the time of the birth – or subsequently marries her
  - if he was awarded parental responsibility either through a parental responsibility agreement with the birth mother, or through a court order.
  - if the child was born after 1<sup>st</sup> December 2003, if he is named on the child’s birth certificate.
- Unmarried fathers of children born before 1<sup>st</sup> December 2003 do not therefore have parental responsibility. If the birth mother wants the natural father to look after their child after her death, she must make a Will to appoint the father as Guardian.
- If everyone who has parental responsibility has died, the local authority will have parental responsibility and be responsible for care of the child – which may be with relatives, or foster carers or in a residential home.
- Guardians will be responsible for looking after children until they become 18. In choosing Guardians you should consider:
  - Age – will they be able to cope with bringing up very young children or be able to control children in their teenage years?
  - Location – will your children have to move school and be separated from their friends?
  - Finances – will they be able to accommodate your children? Trusts can be set up in your Will to provide income and capital for your children’s benefit. Further provisions can be made for Guardians.
  - Religious/moral issues – do the Guardians have religious or other beliefs that are compatible with the upbringing that you would like your children to have?

## **GUARDIANS**

### *LOOKING AFTER WHAT IS MOST VALUABLE – YOUR CHILDREN*

- Everyone who has children under 18 should appoint Guardians to look after their children in the event of their untimely death. For this reason it is more important that parents of young children make a Will than elderly people.
- Guardians are appointed by someone who has parental responsibility for a child – and the appointment passes on parental responsibility.
- The birth mother always has parental responsibility. The father only has parental responsibility in the following instances:
  - if he was married to the birth mother at the time of the birth – or subsequently marries her
  - if he was awarded parental responsibility either through a parental responsibility agreement with the birth mother, or through a court order.
  - if the child was born after 1<sup>st</sup> December 2003, if he is named on the child’s birth certificate.
- Unmarried fathers of children born before 1<sup>st</sup> December 2003 do not therefore have parental responsibility. If the birth mother wants the natural father to look after their child after her death, she must make a Will to appoint the father as Guardian.
- If everyone who has parental responsibility has died, the local authority will have parental responsibility and be responsible for care of the child – which may be with relatives, or foster carers or in a residential home.
- Guardians will be responsible for looking after children until they become 18. In choosing Guardians you should consider:
  - Age – will they be able to cope with bringing up very young children or be able to control children in their teenage years?
  - Location – will your children have to move school and be separated from their friends?
  - Finances – will they be able to accommodate your children? Trusts can be set up in your Will to provide income and capital for your children’s benefit. Further provisions can be made for Guardians.
  - Religious/moral issues – do the Guardians have religious or other beliefs that are compatible with the upbringing that you would like your children to have?