

2019's Top Ten Questions About Guardianship

(And A Couple More)

HSBA Senior Counsel Division

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1. If I don't do anything before my child reaches 18 what will happen?

If I try to set up things after my child reaches 18 does it cost more? Is there a fine or penalties involved?
2. What is the purpose for legal guardianship / power of attorney?
3. Who is covered by it?
4. What are the requirements?
5. How much does it cost?
6. What if parents are divorced? Who decides who has the authority?
7. Are there different kinds of guardianship/ power of attorney -- like can it be limited to just finances, health decisions, etc.? Can we decide on a proxy to help my child with meds, etc. if we are not here or nearby?
8. How can I set up something (maybe a trust) to make sure someone carries through our wishes for our child's long-term care?
9. How do we manage SSI or SSDI income? If I die does the gov. take my assets to pay back SSI?
10. Do I need to have a power of attorney for education before my child reaches 18?
11. What if no one wants to care for my child after I pass on?
12. If my child moves to another state or country are these documents still viable?
13. Who should I choose to be executor of my estate and what would be best for my child?