

Help your clients appoint a legal guardian

# Your advice can help a family protect more than their financial future.

Understandably, most parents don't spend much time thinking about what would happen if they died when their kids are young. Even fewer consider the possibility that both of them might die while their children are still dependent on them.

But it's important for them to plan for this kind of event, however unlikely it might be.

If parents don't make guardianship arrangements and they both die, the care of their children will be decided by the courts and social services. This could mean that the people the parents would have wanted to look after their children may not be allowed to. And while the decision is being made (which could take a long time) the children may even be taken into care. Is that what your clients would have chosen?

Appointing guardians is easy and is usually done as part of making a will. So while you're talking to your clients about protection, you should also point out how important it is for them to make decisions about guardianship.

And of course, this makes an even stronger case for making sure their plans are placed in an appropriate trust so the proceeds can be made available for the children's care without delay or complication.

## Unmarried parents – did you know?

If the couple aren't married and the mother dies, the surviving parent might not necessarily have responsibility for the child. So it's important that the mother grants parental rights to the father in case anything happens to her. We've produced flow charts that detail the different parental responsibility rules for England and Wales, Scotland, and Northern Ireland.

**Children Lose Parents in Plane Crash near Railway Lines** <sup>1</sup>

**Little boy orphaned as parents die in freak lorry accident at low bridge** <sup>2</sup>

**Six-month-old Boy Orphaned after his Grandad Fell Asleep at the Wheel** <sup>3</sup>

## How does my client appoint a guardian?

The simplest way is through a will. Many wills include a section on guardianship if the children are young. If your client doesn't want to make a will they can make a guardianship arrangement by writing a guardianship letter instead.

## Who can appoint a guardian?

Any parent with 'parental responsibility', or both parents having 'parental responsibility' acting jointly can appoint a guardian.

## Where can I find out more?

We've put together a support pack called the Good Parent Portfolio, which helps you to talk to your clients about protection, trusts, wills and guardianship.

### Sources:

- 1 The Guardian January 2009;
- 2 The Mirror, January 2011;
- 3 The Mirror, June 2011.

To find out more about putting holistic advice at the heart of the protection sale, go to [www.brightadviser.co.uk/salestools](http://www.brightadviser.co.uk/salestools)

# Helping your clients make sure their children will be safe.

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