

HOW TO APPOINT A GUARDIAN

You don't have to make a will to appoint a guardian. All you have to do is complete and sign a simple document.

You need to think about who you think would be the best person or people to look after your child if you were to die when he or she was still under 18. Once you have made your choice, do discuss it with the people whom you have chosen and find out whether they feel that they could take on this responsibility.

Although you don't need to make a will to appoint the guardian(s), you should think about doing it so that you can provide for them and your child financially.

NOT CLEARLY APPOINTING THE GUARDIAN(S) CAN LEAD TO -



- ALL KINDS OF FAMILY CONFLICTS ...

- You can use the form on the following page.

You must sign and date the document and put it in a safe place. Tell the people whom you have appointed and give them a copy of it too. It would also be sensible to tell other family members, so that you avoid any sort of quarrel after your death.

James was a toddler when both his parents were killed in a road accident. His parents, Karen and Roy had made home-made wills before he was born, but had not updated them since. Nobody was appointed to be his guardian in the event of their deaths, and they hadn't made any financial provision for him.

Karen's sister and her husband thought that they were best placed to look after James, but so did Roy's brother, Gareth, and his partner, and Roy's parents, Brenda and Bob. The three couples were unable to agree and they eventually went to court over it.

The result was an expensive, lengthy fight that caused great stress and grief to two families who were already devastated by the deaths of Karen and Roy. The three couples are still on bad terms and James has lost his harmonious extended family as well as his mum and dad.



Appointment of Guardian

In accordance with section 5 of the Children Act 1989

I *[insert your full name]*

appoint *[insert name(s)]*

.....

of *[insert address(es)]*

.....

.....

.....

to be the guardian[s] of my child[ren]

[insert the child(ren)'s names and dates of birth]

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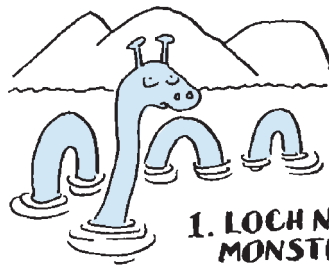
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Signed *[sign your signature]*

Dated *[insert the date]*.....

THREE THINGS THAT DON'T EXIST.



1. LOCH NESS
MONSTER



2. CATS' NINE
LIVES



3. COMMON LAW
MARRIAGE

This leaflet is one of a series produced by
advicenow.org.uk's LivingTogether campaign.

The LivingTogether campaign aims to increase awareness and understanding of the legal issues around living together. We explain exactly what rights couples living together *really* have, and show you practical ways you can protect yourself and your partner.

We provide information and practical material to help you ensure your partner will inherit from you if you die; understand your housing rights and show you how to protect them with a Living Together agreement, explaining financial implications and what you can do to minimise them, and how to ensure your partner is treated as your next of kin in an emergency.

For more information about your rights when you are living with your partner see www.advicenow.org.uk/livingtogether

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The LivingTogether campaign is led by Advice Services Alliance in partnership with One Plus One (www.oneplusone.org.uk) and is funded by the Department for Constitutional Affairs.

Advice Services Alliance (ASA), the co-ordinating body for UK advice services. ASA members include AdviceUK, Age Concern England, Citizens Advice, DIAL UK, Law Centres Federation, Shelter and Youth Access. ASA works with its membership and government to develop policy on delivery of legal and advice services; champions the development of high quality information, advice and legal services; and provides supporting services to advice networks.

The LivingTogether Campaign applies to England and Wales only. The law in Scotland and Northern Ireland is significantly different.

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