

Instructions for completing the Standby Guardianship form

Before filling out this form, you need to know who you are going to choose to care for your children. You can choose a standby guardian and an alternate standby guardian.

You will need two witnesses to watch you sign the form once it is completed. Witnesses must be in your presence when you sign. Remote witnessing is not permitted.

Step 1. Print your full name.

Step 2. In section 1, fill in your name, permanent address and telephone number.

If you are not living at your permanent address, provide the address where you are currently living.

Step 3. In section 2, list the names and dates of birth of all the children.

Step 4. In section 3, fill in the full name, address, and phone number of the person you have chosen to care for your children and their relationship to your children.

This person can be a “guardian of the person,” a “guardian of the property” or both.

A guardian of the person can make life decisions for your child like health care, education and welfare decisions.

A guardian of the property handles decisions about the child's money, investments and savings as directed by a Judge.

A guardian of both can make life decisions and decisions about the child's money.

If you wish to limit the standby guardian's authority to either "only the person" or "only the property," cross out the authority you do not want to give to the guardian. For example, if you wanted the person to be able to make life decisions but not decisions about your child's money, you would put a line through "and property," and write your initials next to or above the changes you made, like this:

I hereby designate the following person to act as standby guardian of the person ~~and property~~^(your initials here) of the child(ren) named above.

Step 5. In section 4, explain why you believe that it is in your children's best interest to be cared for by the person you have chosen.

Step 6 (optional). In section 5, you may list an alternate person to care for your children if the person you chose in section 3 is unable or unwilling to act as standby guardian. Fill in the full name, address, and phone number of that person and their relationship to your children.

If you wish to limit the alternate standby guardian's authority to either "only the person" or "only the property," put a line through the authority you do not want to give to the guardian (see Step 4).

Step 7. In section 6, explain why you believe that it is in your children's best interest to be cared for by the alternate person you have chosen if the primary person is unable or unwilling to care for your children.

Step 8. Read Sections 7, 8 and 9.

Section 7 specifies the situations when the standby guardian's authority goes into effect.

Section 8 explains that you maintain your full rights as a parent, guardian, custodian or caretaker even after the standby guardianship goes into effect and that you can terminate the standby guardianship at any time.

Section 9 explains that the Standby Guardianship is only good for 60 days after it begins, unless the standby guardian asks (or “petitions”) the court to become the legal guardian of the children before the 60 days are up.

Step 9. Under Parent Signature, you will print your name, and date and sign the form in the presence of two witnesses. The witnesses must be at least 18 years old and cannot be the standby guardian or alternate standby guardian. Do not sign the form until your witnesses are present and able to see you sign the form.

Step 10. Under Witness Declarations, the witnesses should print their name, and fill in their signature, address and telephone number.

Step 11. Under Designee Consent, the standby guardian should print their name, date and sign the form and fill in their address and phone number. The standby guardian’s signature does not need to be witnessed.

Step 12. Make copies of the form to give to your designees. Keep the original for yourself in a safe place that is also easy to access.