

## WHAT IS A CHILD SAFEGUARD PLAN?

A Child Safeguard Plan is a planning tool specifically designed to ensure that your children are well cared for when you no longer can.

## How does a Child Safeguard Plan Work?

The Child Safeguard Plan consist of a series of legal, informative, and educational documents designed to assure that whoever you choose to care for your children during your incapacity or after your death will effortlessly assume the role of caregiver. The documents will be put together in a central portfolio where your named guardian can access the documents that empower, instruct, and inform her as to best care for your children.

## When would I need a Child Safeguard Plan?

In an ideal world, you would never need such a plan. Unfortunately, we live in reality. You should have this plan in place if you have a minor child, regardless of his or her age. This plan is designed with the worst case scenarios in mind to ensure that if the time ever came, your child's fate would not be in the hands of the government.

## How would a Child Safeguard Plan Protect my Children?

A Child Safeguard Plan is designed to ensure that someone you trust is empowered to take care of your children when you no longer can. For example, if you and your husband are in a car accident and both are unconscious in the hospital. Who will take care of the children while you recover? How will they fund your children's needs? Will government institutions, schools, or doctors allow this person to make important decisions regarding your child?

A well drafted child safeguard plan would ensure that a person you trust can take custody of your children, rather than social services or a random relative. And that this person can make any decisions that you could make on behalf of your children including:

1. Enrollment in school or school related activities;
2. Treatment by a physician; and
3. Enrollment for government assistance.

## I already have an estate plan. Do I need a Child Safeguard Plan too?

It depends. What kind of estate plan do you have?

A Will. If you have a will based estate plan, then you likely nominated a guardian for your minor children in your last will and testament. However, this document is only effective upon your death, so what will happen to your children upon your incapacity? If your attorney prepared additional documents to include with your will (referred to ancillary documents), then you may have chosen someone to handle your financial affairs upon your incapacity and someone to make medical decisions on your behalf when you no longer can. If your attorney did not prepare these documents, then you will want to have them drafted by experienced estate planner as soon as possible. Even with all these documents the issue of who will care for your child during your incapacity is not addressed. A well drafted Child Safeguard Plan can ensure that, when the time comes, your children are protected.

A Trust. If you have a trust based estate plan, then your children should be financially cared for both at your incapacity and upon your passing. However, the trust document will not and cannot address

who you nominate to care for your child. Sure the trustee can manage the assets for your child's benefit, but who is going to raise and emotionally support the child and how can you ensure that the court will consider your nomination seriously?

[In Sum...](#)

Our Child Safeguard Plan is essential to ensure your children are fully protected should the unthinkable happen. Call us today to schedule a free consultation with one of your Child Safeguard Planners. Together, we can work to ensure you have the peace of mind that your children are protected during all the stages of life.