

SHORT-TERM GUARDIANSHIP

1) What is a short-term guardianship?

A short-term guardianship is a private legal arrangement between you and the person you want to take care of your child. **A short-term guardian is not a permanent arrangement.** The person that you appoint as short-term guardian will only have authority to act as guardian **for as long as sixty days.** It is very useful if you are going to be hospitalized, or are entering a residential program or facility where you will need to be without your children.

However, those sixty days don't have to start immediately. For example, let's say you are very healthy now, and you don't need anyone to take care of your kids today. But you want to make someone the short-term guardian of your child **just in case** you get sick in the future. The law lets you make exactly this arrangement. You can appoint someone short-term guardian over your child, but that person will not have any authority to take care of your child until the day when you are no longer able to care for your child yourself.

Or let's say you are going to be entering a treatment facility where your children cannot stay with you. You can appoint someone as short-term guardian over your child as of a certain date (the date you enter the facility) for up to 60 days. If your stay is longer, then you can sign another short-term guardianship at the end of that 60 day period, if that is what you choose to do.

2) How does having a short-term guardian help my child?

The short-term guardian can use the form as proof of guardianship to consent to medical care for the child, and to enroll the child in school and make other educational decisions. However, short-term guardianship cannot be used for the sole purpose of enrolling your child in a different school district. The short-term guardian can also apply for benefits on the child's behalf.

3) How long can a short-term guardianship last? Can they be renewed?

When a short-term guardianship form expires, you can write another one for an additional 60 days. Otherwise, the short-term guardianship form terminates automatically after 60 days. Also, you may specify on the form your intentions to appoint a guardian for a period of time less than 60 days.

4) How do I get a short-term guardianship?

To make someone the short-term guardian of your child, all you have to do is complete a form called an **Appointment of Short-Term Guardian.** The form is relatively simple. **You don't have to go to court to make someone the short-term guardian of your children.**

5) Who has to sign an Appointment of Short-Term Guardian?

Several people have to sign the form:

- Ø The parent who has custody of the child
- Ø The person named as short-term guardian
- The child's other parent
- Two witnesses. The person you appoint cannot act as a witness.

Sometimes, getting both parents to sign the form causes problems. For example, let's say you don't live with the father of your child, or you don't see him very often. Maybe he has never taken much interest in your child's life.

In four circumstances, the other parent of the child is **not** required to sign the form:

- Ø If the other parent is deceased
- Ø If the whereabouts of the other parent are unknown
- Ø If the other parent is not able to make and carry out day-to-day childcare decisions for your child
- Ø If you were never married to the other parent, and no court has ever issued an order establishing parentage.

If any one of these four things is true, then you do not have to have the signature of the other parent on the short-term guardian form. Otherwise, the other parent must sign it.

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