



# Guardianship + Trusteeship

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## Overview

Guardianship is the authority to make decisions regarding property and finances or personal care on behalf of an incapacitated adult. Guardianship applications are lengthy, detailed and require having a plan in place to care for the assets of the incapable person and the management of the person. Guardianship is often sought in cases when the adult incapacitated person did not have a power of attorney for property. A close relative, such as a child, spouse or sibling, may apply to the court to manage the person’s finances.

This is why it is so important to think about planning for incapacity when putting together your estate plan. Although, not something you want to think about, it’s crucial to plan ahead in case, due to illness or an accident, you are no longer able to make decisions about your estate. For these circumstances we offer:

- Powers of Attorney for care and personal needs as well as for property to manage financial or business affairs
- *Inter vivos* trusts that are effective while the individual is still alive
- Retirement planning
- Business succession planning

The value of proper planning becomes evident when an individual becomes incapacitated without these documents in place. Should this occur in a situation where there is a trusted person familiar with the incapacitated person’s wishes for their own care, it will become necessary for that person to seek court appointment to become the guardian of property and/or guardian of the person. Although this can be a time-consuming and stressful process for the applicant, we can provide you with guidance to minimize the strain associated with navigating this process. We can gather supporting evidence for the claim, prepare and file the court documents, ensure that you are aware of what to expect, and be prepared.

## People

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## Industries

Personal

## Services

Wills, Estates + Trusts  
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 Estate Administration  
 Trusts  
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