“Attention” Getter
- Share example: John and Mary were killed in a car accident. Their two-year-old daughter survived. Both John and Mary’s parents want to care for their granddaughter. The case is in the court. How could the court battle have been avoided?
- Ask audience “If you should die today who will take care of your children?”

Talking Points
- A guardianship provides for the care of a child until he or she reaches the age of 18.
- A conservatorship provides for management and distribution of money and property left to children until they reach the age of 18. One person can perform both the guardianship and conservatorship functions, or one individual may be named as guardian and another individual as conservator.
- Often the most difficult decision facing parents is agreeing on who they want to assume the responsibility of raising the child and managing the money
- Once a decision is made, parents should take time to discuss all financial and child care arrangements with the conservator and/or guardian they have chosen.
- Attorneys recommend the naming of a backup guardian and conservator in the will in case circumstances prevent the parents’ first choice from carrying out the obligation.
- A special needs trust also known as supplemental needs trust can be established for a child with special needs.
- Montana law provides for the conservator to manage inherited property for children until they reach age of majority, which is 18 years. When children reach 18 they receive the property, regardless of their capability to manage it.

Handouts for Participants
- Estate Planning for Families with Minor and/or Special Needs Children MontGuide (MT199117HR). Order from Extension Distribution Center Online Store at: www.msuextension.org/store.

Evaluation Quickie
- How many of you plan to write a will to name a guardian or conservator for your children?
  - Number______________________Percent___________________
- How many of you plan to share the MontGuide with others?
  - Number______________________Percent___________________