

Cereta A. Lee
Prince George's County
Register of Wills



"Assisting the Families of Prince George's County
in their Time of Need"

5303 Chrysler Way, Suite 300
Upper Marlboro, MD 20772
www.registers.state.md.us

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Directions

From 95, take exit 17 to Route 202/
Landover Road towards Upper Marlboro.
Make a left onto Old Marlboro Pike Road,
then bear to the right onto Route 301
South, Crain Highway. Make a right onto
Chrysler Drive (after the Wendy's
restaurant), then drive to the end of the
road until you see the building.

From Route 4/ Pennsylvania Avenue,
take exit Route 301 North/ Crain Highway
towards Baltimore. Make a left onto
Chrysler Drive (before the Wendy's
restaurant), then drive to the end of the
road until you see the building.

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The Register of Wills offers free speaking  
engagements to your community or church group.

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**GUARDIANSHIP  
OF  
MINORS**

[www.registers.state.md.us](http://www.registers.state.md.us)



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***"Our Will is to Serve."***

Every year a vast majority of Americans die without a Will. They lose the opportunity to determine how to leave their assets to their loved ones. However, you can avoid the same mistake. Creating a plan is the first step to protecting your family, and the assets you have accumulated over a lifetime.

As your Register of Wills, I believe "Preparation is the Best Protection." It is important for you to know what to do before and after a loved one passes away. The Register of Wills Office provides seminars and information booths to assist in guardianships and

the process of settling an estate. So when the time comes to use our office, your pre-planning will reduce some of the stress and burden to your family.

The Register of Wills Office takes pride in serving the families of Prince George's County with professionalism, compassion, dignity and respect. Please feel free to contact us with your questions or concerns.

Sincerely,

**Cereta A. Lee**

Register of Wills  
Prince George's County



## ***Preparation is Your Best Protection***

Most people unfortunately do not have Wills. Due to lack of time or not realizing the importance, many people tend to put off writing a Will. However, an up-to-date Will can assure that all your assets are distributed according to your wishes. A Will is especially important if you have minor children because it allows you to designate a Guardian.

Despite the importance of Wills, most Americans die *intestate*—without a Will. If you die intestate, Orphans' Court will appoint a personal representative to distribute your estate according to Maryland law, and also designate a Guardian for any minor children. In other words, Maryland law, *not you*, decides what happens to your assets and the care of your children.

As you can see, the importance of a Will should not be overlooked. With various state laws and complex terms within a Will, you should consult an attorney when writing your Will. So remember, a Will:

- Indicates where your assets and property will go after your death, and names a personal representative (executor) to administer the Will and describe his or her powers and compensation, and
- Designates a Guardian for your minor children and/ or their property .

## **Guardianship of Minors**

The Register of Wills Office only deals with Guardianship of Minor Children. A Guardian is appointed if:

- Both parents die,
- A child receiving money, property or other asset
- Both parents are unable to care for the child.

If you do not designate a Guardian in your Will, the Orphans' Court will appoint a Guardian in the best interest of the child. In most cases, a surviving natural parent will take care of the child, or a relative or friend can apply to become the child's Guardian. However, with different family situations, you should think carefully about who you designate in your Will to care for your minor children.



[www.registers.state.md.us](http://www.registers.state.md.us)

## **Choosing a Guardian**

In naming a Guardian for your children, there are several important points to keep in mind:

- The Guardian should be able to provide a stable and nurturing home life for your children. Will the person you select be able to provide the emotional support, time and energy your children will need?
- Some parents name one person to be the children's personal Guardian and a different person to look after their assets. This person becomes a trustee or Guardian of the property.
- The Guardian will have a sudden increase in family size. Will he or she be able to cope with the burden of additional children and afford them? It might be wise to provide assets through your Will or life insurance to help bear the expense of raising your children.
- Try to select someone close to your age rather than someone of your parents' generation. While your parents may be excellent grandparents, they may be unable to manage another set of children especially through the teenage years.
- Check with the person you want to name as Guardian to make sure they want the job. If the person you name refuses to be the Guardian—or agrees to be the Guardian but resents the job—you will want to choose someone else.

## **Applying for Guardianship**

**When you apply for Guardianship, please bring the following to the Register of Wills Office:**

- **Each child's birth certificate and social security card**
- **Social security card and identification for each adult applying for Guardianship**
- **Notarized, parent consent form for each living parent**
- **Consent form for each child over the age of 12**
- **Death certificate for each deceased parent**
- **Amount child is inheriting and from whom if applying for Guardianship of property**

### ***PLEASE NOTE:***

**Documents originating outside the United States must be translated.**

**Guardianship forms can be obtained online at [www.register.state.md.us](http://www.register.state.md.us)**