



**We Can Help**

## **ECBA Volunteer Lawyers Project**

We provide **free**, confidential legal services to families and individuals living with HIV/AIDS and the caregivers they choose to step in and care for their children. We can help you make the best choices for your children by assisting with Wills, Standby Guardianships, Guardianships and Adoptions.

We also provide **free** legal services in housing cases, family law cases, public benefits cases, bankruptcy cases, income tax issues and a variety of other legal issues.

**Attorneys from VLP will  
work with me to create  
a plan for my child's  
future... A Gift to  
My Child.**



*"I feel better knowing that my  
daughter will be taken care of."*

-Father

**Free Legal Services**  
*for Families and Individuals  
living with HIV/AIDS*

To speak to an attorney call:

**716.847.0662**  
ext. 315 or ext. 319

*438 Main St.  
Floor 7  
Buffalo, NY 14202*



A Plan for  
**My Child's Future**



**A Gift to My Child**

# A Gift to My Child

**A plan for your children's future is a special gift because you will decide who will take care of them if you are not able.** All parents need to make a plan for their children's care, just in case the parents are not able to care for them.

No one knows what is best for your children, or loves them more than you. You can put into place a legal plan and choose your children's caregiver rather than leave this decision to the courts or your family and friends.

An important way to make sure your children are cared for is to make a Will and a Care and Custody Plan. Here are some of the options available to you.



*"Guardianship is good news because I wouldn't want just anyone taking care of my children"*

- Mother

## Wills

A legal document that describes what I want to happen to my property after my death. I can also name a guardian for my children in a Will and it will be used in court as proof of my wishes.

## Temporary Care and Custody

A document that names a person who will take care of my children for a limited time. This may be needed if I go into the hospital or feel too sick to care for my children.

## Standby Guardianship

A document naming a person to become the caregiver of my children, in the future, should I be unable to care for them or in the event of my death. A standby guardian can either be court appointed or can be designated by me without going through the court process.

## Guardianship

A court process that allows someone to take over the care of my children immediately. I may need this if I am too sick to care for my children.

## Step-Parent Adoption

I can ask the court for a step-parent adoption to make my partner or spouse the legal parent of my children if my children's other biological parent has either died or abandoned the children.

## Adoption

Unlike other care and custody options, Adoption is permanent and requires both parents to give up their rights as parents. If I am not ready to give up my rights, this is not the best option for me.

## Questions to Consider When Choosing a Caregiver

- Does the person want to raise my children?
- Does the person share my ideas about how to raise my children?
- Does the person have the energy and resources to provide for my children?
- Do my children get along with this person?

