

LEGACY GUARDIANSHIP

If You Can't Say Anything Nice.....

Come Sit Next to Me
Just Kidding!

*Managing Difficult Family
Members with Integrity and
Grace*



I'm Lindsay!



LINDSAY HOWELL

OWNER AND AGENT



I'm Louis!



LOUIS STEFANOS

BANK OF TEXAS

*not an employee of Legacy
Guardianship





About Us

The vast majority of our cases come with a generous dose of family dysfunction. Why? Because happy, harmonious families don't need 3rd party Guardians.

We often get asked by referring attorneys if we are willing to accept a case that has a lot of family drama, but that's like asking a podiatrist if they are afraid of stinky feet.

Fun Fact: I've been accused of operating a coven of witches two different times... by different people.



Applicable Standards

Minimum Standards for Texas Board Certified Guardians

- **Standard 4: Relationships with Family Members and Friends of the Ward.**

- (a) “The Guardian must maintain a professional relationship with the ward’s family and the ward’s friends.”

(b) The guardian must recognize the value of family and friends to the quality of life of the ward. The guardian must encourage and support the ward in maintaining contact with family members and friends when doing so benefits the ward.



Applicable Standards

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(c) The guardian must assist the ward in maintaining or reestablishing relationships with family and friends, except when doing so would not be of benefit to the ward.

(d) When disposing of the ward's assets, the guardian may notify family members and friends and give them the opportunity, with court approval and in compliance with the Texas Estates Code, to obtain assets (particularly those with sentimental value).

(e) The guardian must make reasonable efforts to preserve property designated in the ward's will and other estate planning devices executed by the ward. Subject to court approval, the present needs of a ward, if not covered by other property, may have priority over preservation of designated property.



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(f) The guardian may maintain communication with the ward's family and friends regarding significant occurrences that affect the ward when that communication would benefit the ward.

(g) The guardian must maintain communication with the ward's spouse, parents, siblings, and children if the ward is admitted to a medical facility for acute care for three days or longer, the ward's residence has changed, or the ward is staying at a location other than the ward's residence for longer than a week, unless the court relieves the guardian of the duty to do so in accordance with Section 1151.056, Texas Estates Code.



Applicable Standards

Minimum Standards for Texas Board Certified Guardians

(h) The guardian may keep immediate family members and friends advised of all pertinent medical issues when doing so would benefit the ward. The guardian may request and consider family input when making medical decisions.

(i) The guardian must inform the ward's spouse, parents, siblings, and children if the ward dies and, in the event of the ward's death, of any funeral arrangements and the ward's final resting place, unless the court relieves the guardian of the duty to do so in accordance with Section 1151.056 Texas Estates Code.



Common Types of Cases

-No Family

-Dysfunctional Family

Sibling Rivalry

Estranged Children

The Failure to Launch Son

Common Types of Cases

-Mental Health

Family is “tired”

Client uncontrollable

-Minor

Death of a Parent

Other Inheritance / PI Suit

Problematic Behaviors

- Neglect of Ward by Family
- Financial Exploitation of Ward by Family
- Harmful Conversations with Ward (money, family conflict, legal issues). “You know my sister never comes to visit you,” “They are going to take all your money and sell your house.”
- Interfering with Care or Service Providers, slander towards carers
- Antagonizing or disrespecting the Guardian

Problematic Behaviors

- Treating the Minor's money as family money
- Spending habits mirror the Parent/Guardian
 - Not always a good thing
- "Do this or else"
- Misuse of delegated funds

**All of these behaviors
can be mitigated,
managed, or minimized
by good boundaries.**

But First: Set Expectations!

Let people know exactly what to expect from you in terms of

- 1.) When you are available**
- 2.) How you prefer to communicate**
- 3.) When they can expect a response from you**
- 4.) Under what circumstances they can expect to hear from you**
- 5.) What your expectations are for THEIR behavior**


Boundaries

Boundaries are how we show other people how to treat us. They can be physical, emotional, spatial, or based on time. *Boundaries without consequences are just complaints* , and the consequence is what protects us from further harm.

2 Prerequisites for Healthy Boundaries

1.) Knowing Your Triggers: what sets you off? What causes you to react instead of respond? What gets in the way of your ability to respond professionally?

2.) Knowing Your Truth: what is your deep knowing of what is best, just, and right? If you don't have the words for it or you aren't sure, you need to pause before responding.



If you take nothing else away from this presentation, I want you to remember that the best thing you can do for yourself and the difficult family member on the other end of the conversation is pause... think about your motivation for what you want to say... and take a break. Then respond.

“Let me think about that.”

Examples...

“If you keep yelling at me, I have to end this conversation.”

“It’s not OK to use the N-word. If you cannot refrain from using racist language towards caregivers you cannot visit.”

“When you call me on the weekend I feel angry because I want to spend time with my family. If you cannot respect my time I will have to block your number.”

Simple Responses are Better

If your email response to an irate family member is to write the great American novel, you need to reel it back in.

Simple is better. Less is better. There is nothing wrong with the truth.

Example: “Please don’t talk to your mom about your issues with your sister. It’s not appropriate, and it’s harmful to your mom.”

Simple Responses are Better

Sometimes the family just needs to vent.....LET THEM!!

Then follow it up with an affirmation:

“I am hearing that you _____”

Then discuss how you both can work through the situation

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THANK YOU

legacyguardianship.com

