



# STEVE RAUSCH

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Sign up for my Quarterly  
Newsletter via email:  
[steverauschlawoffice.com](mailto:steverauschlawoffice.com)

Hello to all my Clients,

Summer is here and the river is high. We may not get a rafting year on the Boise River, but there's always the Salmon, the Snake and the Payette if you want some whitewater.

We celebrated another wedding in the Rausch family in May. My daughter Ashley married her fiancé Shaun on May 28<sup>th</sup>, in a short ceremony in the College of Idaho amphitheater. They will both be working in Boise, while Shaun finishes his degree at BSU.



We are still working on our new location on Shoreline, with the plan to move in the first part of August with an open house the last week of July. You'll hear more about that soon!

If you would like to receive my quarterly newsletter via email or need to update your information, let us know. I also welcome referrals. I am honored to help your family and friends.

Best Regards,

*Steve*

I'm still co-hosting **Idaho's Money Show** Monday-Thursday weeknights from 6-7pm on FM 107.5 or 580AM or listen live on your computer at 580kido.com. I post summaries of various shows on my website too. Call in, or email your questions anytime. We welcome your feedback, questions or comments on the topics of the day.

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## Guardianship: What is it and Why is it Needed?

The topic of "Guardianship" for people comes up for both minors and the elderly. They are similar in that the person under guardianship gives up all rights to make health care decisions. This is sometimes confused with healthcare power of attorney or financial power of attorney.

When elderly people have health problems and are unable to care for themselves, have issues with memory such that they could be in danger without supervision, or if they lack the cognitive ability to manage their financial affairs, then a guardian may need to be appointed by the court. In some cases where one relative might have undue influence on a person lacking mental capacity to make decisions, other relatives would ask for a third party who is not related to be appointed.

Guardianship means the guardian has all the power of a parent over a minor child. The guardian makes decisions for health care and living arrangements. In contrast, a healthcare power of attorney grants someone the right to sign documents and "co-manage" health care of another person. That person is not giving up their rights.

### Setting up a Guardianship

In order to grant a guardianship, one must first have a letter from a physician stating that the person no longer has the ability to manage their affairs. Next, the court will appoint a social worker to make a visit to evaluate the person. Third, a guardian ad litem is appointed, usually an attorney, to represent the incapacitated person's rights. The social worker and the guardian ad litem each write a report with their recommendations, and a judge holds a hearing to decide the issue based on the reports.

Full Article at:

<http://steverauschlawoffice.com/index.php/guardianship/>

If you need legal assistance give my office a call anytime.