

Instructions for Delegation of Parental/Guardian Powers Form



This delegation designates another person (called the “attorney-in-fact”) to make decisions regarding a minor child/ren in lieu of the child/ren’s parent or legal guardian. The “attorney-in-fact” can be any reliable person and does not have to be a lawyer. It is not a court order. It is accepted by many, but not all, people or organizations as proof that the person has the legal right to make decisions for the child/ren.

A parent who does not agree with the decisions of the attorney-in-fact has more authority over the child than the attorney-in-fact. This form can not be used to transfer custody or to supersede the right of the other parent. It does not affect the rights of the child’s parents regarding the care, custody and control of the child and can be withdrawn at any time.

First, fill out the specific information regarding the child/ren and the attorney-in-fact as designated on the form. Next, indicate what powers you are giving to the attorney-in-fact over your minor child/ren. The first box is for a general delegation granting all powers a parent would ordinarily have over the child/ren. The second box allows you to state the specific responsibilities and powers you want to grant. If you choose to select specific powers, be sure to list what those powers are in the box provided.

The completed delegation form must be signed by both the parent or legal guardian and the attorney-in-fact. Make several copies of the form since you will probably have to give a copy to each person or organization that the attorney-in-fact will need to deal with on behalf of the child/ren. Show them the original, and give them the copy. Keep the original in a safe place.

This delegation of parental/guardian rights is effective for a maximum of one year. You can limit this time period to as little as you want, but you cannot extend it beyond one year. If you need another power of attorney after one year, a new power of attorney may be signed.

The parent granting the power can withdraw (revoke) that power at any time, even before the expiration date on the power of attorney. It is best that the withdrawal be in writing. A form called Revocation of Power of Attorney is attached. If you are a parent withdrawing the power, be sure to fill out the revocation form and deliver it to the person to whom you granted the power and to those people or organizations to whom you gave a copy of the delegation form. The withdrawal is effective immediately upon delivery.