

Caring for Another's Child: Caregiver's Authorization Affidavit

Frequently parents find that they need someone else, often a grandparent or other family member, to care for and make decisions for their children, but they do not want to establish a formal guardianship. Or maybe the parents are unavailable. The Caregiver's Authorization Affidavit is a form giving the person taking care of a child the authority to enroll them in school and (if they are a relative) make medical decisions without needing a parent's signature and without a full guardianship.

Forms

- [Caregiver's Authorization Affidavit \(English\)](https://saclaw.org/resource_library/caregivers-authorization-affidavit/caregiversauthorizationaffidavit/) (https://saclaw.org/resource_library/caregivers-authorization-affidavit/caregiversauthorizationaffidavit/)
- [Caregiver's Authorization Affidavit \(Spanish\)](https://saclaw.org/resource_library/caregivers-authorization-affidavit/sp_caregiversauthorizationaffidavit/) (https://saclaw.org/resource_library/caregivers-authorization-affidavit/sp_caregiversauthorizationaffidavit/)

Affidavit is easy and powerful

- Parents do not need to sign (they can revoke any time though)
- Schools and medical care providers **must accept** this form
- This form **does not need to be notarized** and does not need any court stamp.

There are a variety of factors that can attribute to why parents and the person who has care and physical custody of a minor may not want to pursue a legal guardianship. Some of the factors may include a difficult relationship between the parents and caregiver, parents' refusal of consent to a legal guardianship, or the caregiver may not want the hassle of applying for legal guardianship. More often it is the case that the caregiver will be taking care of the minor only temporarily.

As an alternative to a legal guardianship, caregivers can sign a Caregiver's Authorization Affidavit. A Caregiver's Authorization Affidavit is an official form based on California's recognition

that adults who have minors living with them are “caregivers” who often want and need to take some responsibility for the minor’s education and other care. Any caregiver, including non-relatives, can use this form to make education decisions, such as:

- enrolling a child in public school
- making school-related medical decisions, and
- making other important decisions on the minor’s behalf.

Qualified relatives may also use this form to make medical decisions for the child. A “qualified relative” is “an adult who is related to the child by blood, adoption, or affinity within the fifth degree of kinship.” Specific examples are listed on page 2 of the Affidavit.

According to [California Law](#)

(https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=FAM&division=11.&title=&part=1.5.&chapter=&article=),

schools and medical care providers **must accept** this form if it is completed correctly. It is important to note that only the caregiver is required to sign the form, not the minor’s parents.

[California Law](#) (https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=FAM§ionNum=6552.) specifically sets out the requirements for the affidavit. It does **not need to be notarized**.

For more general information on other alternatives to guardianship, visit the [California Courts Self-Help](#) (<http://www.courts.ca.gov/1210.htm>) website.

New Version of Form: January 1, 2026

The law was changed as of January 1, 2026 to expand the types of relatives who are “qualified” to use the medical care portion of the form. Previously it was only close relatives, like grandparents, aunts and uncles, and siblings. Now anyone related by “blood, adoption, or affinity within the fifth degree of kinship” is “qualified.”

A blank Caregiver’s Authorization Affidavit in English, and a sample in Spanish, is available on the Law Library’s website from the links above. Information on how to complete the previous version of the form, which is mostly similar, can be found in “The Guardianship Book for California: How to Become a Child’s Legal Guardian” published by Nolo Press. This book is available for review at the Sacramento County Public Law Library and at large bookstores.

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Useful Resources

- [California Courts Self-Help: Alternatives to Guardianship](https://selfhelp.courts.ca.gov/guardianship/other-options) (<https://selfhelp.courts.ca.gov/guardianship/other-options>)
- [California Family Code 6552](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=FAM§ionNum=6552) ([http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=FAM§ionNum=6552.](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=FAM§ionNum=6552))
- [California Family Code 6550](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=FAM§ionNum=6550) ([http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=FAM§ionNum=6550.](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=FAM§ionNum=6550))