

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. 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. A relative who has signed a Caregiver's Authorization Affidavit may enroll a child in public school, make school-related medical decisions, and make other important decisions on the minor's behalf. Non-relatives may also use this form to enroll a child in school and to receive school related medical treatment. According to [California Law](#)

(https://leginfo.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 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.ca.gov/faces/codes_displaySection.xhtml?lawCode=FAM§ionNum=6552) specifically sets out the requirements for the affidavit. Once completed, the affidavit should 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.

A blank [Caregiver's Authorization Affidavit](#) (<http://www.saccourt.ca.gov/forms/docs/pr-023.pdf>) is available at the Sacramento County Superior Court website under local forms. Information on how to complete the form 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.

rmm 6/2022

Useful Resources

- [Caregiver's Authorization Affidavit \(Blank Form\)](#) (<https://www.saccourt.ca.gov/forms/docs/pr-023.pdf>)
- [California Courts Self-Help: Alternatives to Guardianship](#) (<https://selfhelp.courts.ca.gov/guardianship/other-options>)
- [California Family Code 6552](#) (http://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=FAM§ionNum=6552)
- [California Family Code 6550](#) (http://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=FAM§ionNum=6550)