THE #FKLM FAMILY BLUEPRINT

Know the Language: Power of Attorney, Consent, and Authorization

Legal & Policy Literacy · Know the Language

The paperwork terms that decide who may act on a child's behalf.

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A free guide from My Fairy GodParents — for youth impacted by parental incarceration, justice-impacted youth, and the caregivers and families who support them.
myfairygodparents.org/resources/family-blueprint

Print, write on it, and share it with the people helping your family.

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> *The paperwork terms that decide who may act on a child's behalf.*

THE DIFFERENCE THIS MAKES

Power of attorney, consent, and authorization are words that decide something very concrete: whether you can pick up a child's medication, sign a school field trip form, or approve emergency care. Families often discover which document they need at the worst possible moment — in a school office or an emergency room — because nobody explained the vocabulary beforehand.

These documents exist precisely because the adult raising a child day to day is sometimes not the child's legal parent, and institutions need a paper trail before they will act. The specific form, its name, and how it is obtained vary by state, and sometimes by school district or hospital system, so this lesson explains the categories rather than a specific form to fill out.

As with the rest of this topic, this is general information. Which document fits your family, how to complete it correctly, and whether it will be accepted by a specific school or provider are questions for that institution, a court self-help center, or an attorney — not something this lesson can determine for you.

POWER OF ATTORNEY

A power of attorney is a signed document, generally created by a parent or legal guardian, giving another adult authority to make certain decisions for a child for a defined period or purpose — often education and healthcare decisions. It does not usually require a court proceeding to create, which makes it faster to obtain than guardianship, but it also does not carry the same permanence.

Because a parent typically signs it, a power of attorney generally requires the parent's cooperation and signature. This matters for families where a parent is incarcerated: some states allow a power of attorney to be signed and notarized from inside a correctional facility, but the process for arranging that — including notary access — varies by facility and state.

A power of attorney can usually be limited in scope and time, and can typically be revoked by the parent who created it. Some states cap how long an unsupervised power of attorney for a minor can last before it must be renewed or converted to something more formal.

CONSENT AND AUTHORIZATION

Consent and authorization forms are often the actual paperwork schools, pediatricians, and camps ask for day to day — permission slips, medical treatment authorizations, and caregiver authorization affidavits are all in this category. Many states have a specific, simple form sometimes called a caregiver's authorization affidavit that lets a relative enroll a child in school and make routine medical decisions without going to court at all.

These forms tend to be narrower and easier to obtain than power of attorney or guardianship, but they are also narrower in what they cover — often school enrollment and routine medical care, not major medical decisions, financial matters, or long-term custody questions.

Because these forms are often created by state law specifically for relative caregivers, the state's department of education or health and human services website, or a kinship navigator program, is usually the fastest way to find the correct one for where you live.

+ VISITATION

Visitation describes arranged contact between a child and a parent, and it means something different depending on which system is involved. For a parent in a correctional facility, visitation rules — who may visit, how often, in what format, and what a child needs to bring or complete beforehand — are set by that specific facility, and can differ significantly even within the same state.

For a parent involved in a family court custody or guardianship case, visitation (sometimes called parenting time) may instead be defined by a court order, which sets out schedule, supervision requirements, and any conditions. A family can be navigating both kinds of visitation at once — facility rules for prison visits and a court order for custody-related visitation.

Because the rules differ by facility and by court, the accurate answer to "can my child visit?" always comes from the specific facility's visitation policy or the specific court order, not from a general rule.

+ CHILD SUPPORT

Child support obligations generally continue during a parent's incarceration unless a court changes them — incarceration does not automatically pause or cancel an existing order in most states, and unpaid support can accumulate as debt during that time, sometimes with real consequences at release.

Some states allow a modification request during incarceration, but this generally requires actively filing with the court that issued the order; it is not automatic, and it is not guaranteed. This is a question for an attorney or the local child support agency, and it is worth raising as early as possible rather than after debt has built up.

For a caregiving family on the receiving end, child support questions — including whether kinship or foster arrangements affect an existing order — are handled by the local child support enforcement agency, which can explain the process without requiring you to already know the legal terms.

+ THE FORM THAT ALREADY EXISTED

A caregiver spent weeks assuming she needed to go to court for guardianship just to take her nephew to the doctor, because that was the only path she had heard of. A pediatrician's office receptionist mentioned, almost in passing, that many patients' relative caregivers used a state caregiver authorization affidavit instead.

She found the form on her state's health and human services website, filled it out with the boy's mother by phone from the facility confirming the arrangement in writing, and had it notarized at her bank. No court appearance was required.

The form covered school enrollment and routine medical care, which was everything she actually needed. She noted that if a bigger decision ever came up — surgery, a change in school district requiring more authority — she would need to ask again about whether guardianship was the better fit.

+ WORDS YOU CAN USE

Asking a school which document they require

"I'm the relative caring for [child's name] day to day. Could you tell me exactly which document — power of attorney, a caregiver authorization affidavit, or something else — your school needs from someone in my position, and where I can get the correct form?"

Asking a pediatrician's office the same question

"I'm [child's name]'s caregiver, not their legal parent. What authorization do you need on file to see them for routine visits, and is there a simpler option than power of attorney for that?"

Asking a facility about arranging a parent's signature

Call the correctional facility where the parent is held.

"I need to have a document signed and notarized by [name], who is currently incarcerated at your facility. Can you tell me your process for arranging notary access, and how long it typically takes?"

Asking the child support agency a direct question

"I want to understand how child support works while a parent is incarcerated — whether an order continues, whether it can be modified, and what the process is for requesting that. Can you walk me through the general process?"

+ SORT OUT YOUR PAPERWORK BY NAME

- [ ] List every decision you currently need authority for: school, medical, other.

- [ ] Ask the specific institution which document they require, by name.
- [ ] Check whether your state has a simple caregiver authorization affidavit before assuming you need court involvement.
- [ ] If a parent's signature is needed, ask the facility about notary access early.
- [ ] Confirm visitation rules with the specific facility, not a general assumption.
- [ ] If there is a custody or guardianship order, confirm what it says about visitation separately.
- [ ] If child support is part of your situation, contact the local child support agency to ask about the current status of any order.
- [ ] Keep signed copies of every document in your paperwork folder.

+ REFLECT AND WRITE

Which specific decisions — school, medical, other — do I currently lack clear authority for?

Have I checked whether a simpler consent or authorization form exists before assuming I need power of attorney or guardianship?

What do I actually know about the visitation rules that apply to our family, and where did that information come from?

Is there a child support question in our situation that I have been avoiding asking about?

+ YOUR NEXT STEP

> List which authorizations your household already has in writing.

+ WHERE THIS COMES FROM

Written by My Fairy GodParents — reviewed August 2026.

This is general information and practice guidance — not legal advice, mental-health treatment, or a statement of any court, agency, or facility's rules. Policies differ by state, county, facility, school, and program, so always confirm details with the office involved.

For decisions with legal, medical, financial, or clinical consequences, work with a licensed professional or the organizations listed with each resource.

The information provided through The #FKLM Family Blueprint is for general educational purposes and is not legal advice. Laws and policies differ by jurisdiction and may change. Families needing advice about their individual circumstances should consult an appropriately qualified attorney or legal-services organization.

You do not have to do this alone.

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