

FORM 1.

PARENTAL APPOINTMENT OF YOUR CHILD'S CAREGIVER* FOR 30 DAYS OR LESS

Filled Out by Parent

I, *(your name)*

parent of *(your child's name)*

choose *(caregiver's name)*

who lives at *(caregiver's address)*

to be the caregiver and the person able
to make education and healthcare
decisions, including consent for routine
and emergency medical treatment, for
my child. This gives the caregiver full
authority for *(number from 1 to 30)*

_____ days that starts on the date
below and ends earlier if I say so.

Sign Here: _____

Date: _____

*Do a separate form for each child.

The caregiver can show this form to education and
healthcare providers. The education and healthcare
providers can make copies of this form.

BE SURE YOUR CHILD IS CARED FOR AND SAFE

**IF YOU ARE
ARRESTED,
CALL SOMEONE
IMMEDIATELY!**

**IF YOU ARE
SENT TO JAIL
OR PRISON,
MAKE PLANS AND
ARRANGEMENTS FOR
YOUR CHILD!**

APPOINT A CAREGIVER

**TALK TO A LAWYER
ABOUT YOUR PLANS
FOR YOUR CHILD**

BE SURE YOUR CHILD IS CARED FOR AND SAFE

TAKE IMMEDIATE STEPS — CALL SOMEONE!

Make arrangements for today and for as long as you will be unable to care for your child. You may need to ask one person to care for your child immediately and another person to provide longer-term care.

Appoint a Caregiver Immediately

If you are your child's only caregiver, ask your child's other parent, a relative or friend to care for your child and put it in writing. This gives that person the legal ability to make education and medical decisions for your child. There are two forms included in this flyer that you can use to appoint a temporary caregiver. The two forms are for different time periods and have different requirements. Always do a separate form for each of your children. The caregiver can show the completed form to your child's education and healthcare providers and they can make copies of the form.

Form 1. Parental Appointment of Your Child's Caregiver for 30 Days or Less

- Complete this form immediately.
- It is easy for you to fill in and give to the caregiver.

Form 2. Parental Appointment of Your Child's Caregiver for 12 Months or Less

- Complete this form as soon as possible and before the 30 day arrangement ends.
- This form must be signed in front of a notary public by you and the caregiver. You can have it notarized together or separately. If done separately, you, the parent, must have it notarized first.
- You can renew this arrangement. Complete and notarize new forms for each of your children before the 12 month period is over.

TALK TO A LAWYER ABOUT YOUR PLANS FOR YOUR CHILD. HERE ARE SOME OPTIONS

File a Custody or Guardianship Petition

If your child's other parent or another suitable person can care for your child, he or she can file a petition in Family Court and you consent to a change in custody or to the appointment of the guardian at a hearing, and you may be eligible for a lawyer free of charge. This gives that person the responsibility for the care and decision-making for your child. You can ask for a visiting plan for you and your child.

Modify a Custody and Visitation Order

If your child's other parent can care for your child and you have sole custody of your child, your child's other parent can file a petition in Family Court to modify the order that gave you custody. You consent to a change in custody at a hearing that gives your child's other parent the responsibility for the care and decision-making for your child, and you may be eligible for a lawyer free of charge. You can ask for a visiting plan for you and your child.

Voluntary Placement in Foster Care

If your child's other parent is not able to care for your child and you do not have another suitable person who can care for your child, you can call 211 (available in most counties) or contact your local county department of social services (Administration for Children Services in New York City) preventive services department directly and ask to place your child in foster care. If the department agrees, you must sign a voluntary placement agreement that allows your child to be placed in temporary foster care. You can ask for a visiting plan for you and your child.

FORM 2. PARENTAL APPOINTMENT OF YOUR CHILD'S CAREGIVER FOR 12 MONTHS OR LESS

Filled Out by Parent (Do a separate form for each child)

I, (*your name*) _____, parent of (*your child's name*) _____,
_____, date of birth (*your child's date of birth*) _____,
choose (*caregiver's name*) _____ to be the caregiver and the person
able to make education and healthcare decisions, including consent for routine and emergency medical
treatment, for my child. This gives the caregiver full authority for my child's education and health decisions
from (*start date*) _____ to (*end date*) _____ unless I say
so otherwise. The caregiver's phone number is _____. The caregiver's address is _____.

When I was taken into custody, my home address was _____
_____. I expect to be in the following location (*name of jail/prison*) _____
_____ and cannot be contacted directly by phone. My department identification number or book
and case number is (*your number or leave blank if unknown*) _____.
There is no court order in effect that stops me from making this appointment.

Sign Here: _____ Date: _____

Filled Out by Notary

STATE OF NEW YORK
COUNTY OF _____ ss.:

On the _____ day of _____, 20_____, before me personally came _____,
known to me to be the person described in and who signed the within document, and to me such person duly acknowledged that
he/she executed same.

Notary Public

Filled Out by Caregiver

I, (*your name*) _____, consent to assume the responsibilities and duties
of an appointed caregiver (person in a parental relation) to this child.

Sign Here: _____ Date: _____

Filled Out by Notary

STATE OF NEW YORK
COUNTY OF _____ ss.:

On the _____ day of _____, 20_____, before me personally came _____,
known to me to be the person described in and who signed the within document, and to me such person duly acknowledged that
he/she executed same.

Notary Public

TELL YOUR CHILD'S CAREGIVER ABOUT THESE PLACES WHERE YOU, YOUR CHILDREN AND THEIR CAREGIVERS CAN GET HELP

LIFT

Website: www.LIFTonline.org
Statewide Hotline: 212-343-1122 (accepts
collect calls from parents in jail or prison)
Email via web: www.LIFT hotline.org
Range of services include:

- Legal information about Family Court and family law
- Referrals to social and legal services
- Receive intensive legal and social work services at the Family Legal Center
- Multilingual Legal Resource Guides

Prisoners' Legal Services of New York: Family Matters Unit

Phone: 518-438-8046
Address: 41 State St, Suite M112
Albany, NY 12207

Range of services include:

- Assist incarcerated parents who were convicted in the counties of Albany, Bronx, Erie, Kings, Nassau, New York, Queens or Richmond (or have children living in those counties)
- Maintain family ties during incarceration and assist with child support orders

NYS Kinship Navigator

Website: www.nysnavigator.org
Toll-free Phone: 877-454-6463
Email: navigator@nysnavigator.org
Range of services include:

- Learn about county-specific help
- Talk to a Kinship Specialist
- Access legal fact sheets
- Referrals to agencies and professionals

The Osborne Association

Website: www.osborneny.org
Family Resource Center: 800-344-3314
Phone: 718-637-6560
Email: info@osborneny.org
Range of services include:

- Court advocacy, drug treatment, employment and family services
- Visiting assistance and counseling

Women's Prison Association

Website: www.wpaonline.org
Phone: 646-292-7740
Range of services include:

- Get direct assistance for criminal justice involved women

ALSO TELL YOUR CHILD'S CAREGIVER ABOUT THESE RESOURCES

Financial Help for Your Child

Your child's caregiver may be able to apply for Temporary Assistance (often called child-only grants) that provides monthly cash assistance to be used for the care of your child. This assistance is based on the income and resources of your child, not the income of the non-parent caregivers. Caregivers may also be able to apply for Food Stamps, Medicaid, child care assistance or other services for your child. For more information and an application package, the caregiver can call 211 (available in most counties) or visit the local department of social services (HRA in New York City).

Handbook for Caregivers

The New York State Handbook for Relatives Raising Children, *Having a Voice and a Choice*, discusses the various options available to caregivers. Online at <https://ocfs.ny.gov/main/publications/Pub5080.pdf>.

Resources for Your Child

The NYS Office of Children and Family Services provides several resources available for adults and children to help them throughout this difficult time. Online at https://ocfs.ny.gov/main/incarcerated_parents/default.asp.

**This flyer should not take the place of speaking with a lawyer about any of these issues.
All individuals involved with the Family Court or Criminal Court
are encouraged to speak with a lawyer.**