



## Public Children Services Association of Ohio

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Dear Colleague,

**HB 130, the Grandparent Caregiver Power of Attorney (POA) and Caregiver Authorization Affidavit (CAA) Bill became effective on July 20, 2004.** This bill will assist grandparent caregivers in obtaining the necessary legal documentation needed to enroll the grandchildren in their home in school, participate in their education, and to obtain routine and emergency medical, psychological and dental care. **The forms, as created by Ohio law, are enclosed with this mailing, and are all-inclusive. Instructions for use of the forms are listed under “notices” for each form. A brochure for kinship caregivers regarding the POA and CAA is also enclosed.**

**In your role as a statewide association, I would request your help in widely distributing these materials in order to make them accessible** to the more than 186,000 grandparent caregivers in Ohio. It is estimated only 10% of these grandparent caregivers have judicial custody of the kids in their care. The rest often have difficulty enrolling their grandchildren in school, getting immunizations, etc. Use of the attached forms should help. To ease in distribution, I am sending you this information both electronically and in hard copy. **Please distribute to the professionals in your field, mention in your newsletters, and make available in any way possible.**

**The Grandparent Power of Attorney (POA)** form is to be used in consensual situations, where the parent(s) are empowering the grandparent caregiver to care for their child. To be effective, it must be completely filled out, signed by the parent(s) and grandparent caregiver, and notarized. It must be filed with the local juvenile court where the caregiver resides, and is effective for one year.

**The Grandparent Caregiver Authorization Affidavit (CAA)** form is to be used when the children reside with the grandparent, but despite reasonable efforts, the parent(s) are unable to be located. The affidavit is to be completely filled out, signed by the grandparent caregiver and notarized. It too must be filed with the local juvenile court, and is effective for one year.

**If the child is to remain in the grandparent caregiver home for more than one year**, the grandparent caregiver must complete a second Power of Attorney or Caregiver Affidavit, and file with the same juvenile court. The court is to then schedule a best interest hearing, to either extend the Power of Attorney or Caregiver Affidavit, transfer legal custody to the grandparent caregiver, return the child to the parent(s), or award some other disposition under ORC 2151. The court may request the public children services agency assist by providing information about the stability of the placement. When a court requests information in these cases, PCSAO suggests PCSAs utilize the relative approval process used when we place a child in a kinship home. You can find the process in OAC 5101:2-42-05 – inclusive of a criminal background check, basic site and safety check, assessment that the caregiver understands the child’s needs, is willing and able to provide for those needs, and has access to local services and resources to meet those needs.

In addition to the forms provided with this mailing, **you can find the forms and related materials on-line at PCSAO’s website [www.pcsao.org](http://www.pcsao.org) (check out the Kinship pages from our homepage).** The Ohio Department of Job and Family Services also has a webpage, with resources for kinship caregivers, at [http://jfs.ohio.gov/ocf/kinship\\_care.stm](http://jfs.ohio.gov/ocf/kinship_care.stm) – it is currently being updated to include the forms.

Thank you for your assistance in supporting Ohio’s grandparents as they help to raise our children.

Sincerely,

**Crystal Ward Allen**

Chair, Statewide Kinship Caregivers Advisory Board  
Executive Director, Public Children Services Association of Ohio