

POWER OF ATTORNEY DELEGATING PARENTAL POWERS

_____, a parent or guardian
(Typewritten or Printed Name of Parent(s) or Guardian(s))
of the minor child/ren

_____, born _____
[name(s) and birthdate(s)]

_____, born _____
[name(s) and birthdate(s)]

_____, born _____
[name(s) and birthdate(s)]

pursuant to Idaho Code Section 15-5-104, delegates his/her/their parental powers to

_____, of _____
(Typewritten or printed name of parenting delegate) (Current address of delegate)

The delegate named above is a grandparent, sibling of a parent, or sibling of the above minor child/ren. This power of attorney shall remain in full force and effect for three (3) years, unless earlier revoked by me in writing; OR from _____ until _____ unless earlier revoked by me in writing.

The delegate named above is NOT a grandparent, sibling of a parent, sibling of the above minor child/ren. This power of attorney shall remain in full force and effect for six (6) months unless earlier revoked by me in writing.

This delegation includes all powers regarding the care, custody, and property of the minor child/ren except the power to consent to marriage or adoption of the minor child/ren.

This delegation expressly allows my delegate to travel outside the United States with the minor child/ren.

Yes No

This delegation is effective immediately, on the following date _____.

(Signature of Parent or Guardian) (Signature of Parent or Guardian) (Signature date)

FORM MUST BE NOTARIZED

STATE OF _____)

:SS

County of _____)

On the __ day of ____, 20__, before me, a Notary Public, personally appeared _____, known or identified to me to be the person whose name is subscribed to the within or foregoing instrument, and acknowledged to me that s/he executed the same. WITNESS my hand and seal the day and year as previously stated.

Notary Public for
Residing at
Commission expires: _____

Instructions: Delegation of Parenting Powers

1. This form should be filled out in English. A translation can be used as guidance for what information is needed where, but for the document to be honored at schools, hospitals, and other organizations, the English version should be completed and signed.
2. Name of Parent or Guardian.
 - a. It is best for both parents to sign the parenting delegation. Both parents can sign the same delegation document, or each parent could sign a separate document. If both parents sign a delegation and delegate to the same person, that person will have the clearest ability to make parenting decisions for the child or children.
 - b. It is OK for only one parent to sign. If this happens because the second parent is unavailable or uninvolved in the child's life, the delegation will likely be as good as if both parents signed. If only one parent signs because the other parent disagrees or won't cooperate on parenting decisions, the delegation is still good and will allow the delegate to make important emergency decisions and get access to important documents and information about the children. But the signing parent can't give the delegate any powers the signing parent doesn't have. So, for example, if the two parents have a 50/50 custody agreement, the signing parent cannot delegate the other parent's custody time. Also the non-signing parent might be able to veto decisions made by the delegate.
 - c. Make sure the names listed for the parent(s) exactly match identification documents such as drivers' licenses, passports (even if not US passports), and/or any other documents that may prove identity. Include variant spellings and nicknames if they appear on documents used to prove identity. For example say "Juan Espinoza, aka John Espinosa." This will avoid arguments about the identity of the parents.
3. Names and birth dates of the children. Make sure the names and birthdates listed match any identification documents such as birth certificates, baptismal documents or school enrollment information. Include any variant spellings or nicknames that appear on such documents. This will avoid arguments about the identity of the children.
4. Who should the delegate be?
 - a. If the delegation is to a grandparent, brother or sister of the child, or to an aunt or uncle (a person who is a brother or sister of the mother or father of the child), the delegation can last up to three years or for as long as provided in the delegation. A parent can specify a longer or shorter time for the delegation.
 - b. If the delegation is NOT to a grandparent, brother or sister of the child, or to an aunt or uncle, *the delegation can only last six months*. This is true even if the delegate is a relative such as a cousin. It is true no matter how close to the children the delegate is. The six-month delegation may be renewed. It may be necessary to sign several delegations with effective dates every six months.
 - c. Only one delegate should be named. The law does not provide for co-delegates. For example if the plan is that children will live with grandparents, only one grandparent should be designated as the delegate not both grandparents.

- d. It is best if the delegate is an Idaho resident who plans to reside in Idaho. If not, the delegation is still good, but additional documents may be required in the state of the delegate's/children's planned residence.
 - e. Make sure the name of the delegate matches any identification documents such as passports and/or drivers' licenses. Include any variant spellings or nicknames that appear on such documents. This will avoid arguments about the identity of the delegate.
5. What can the delegate do? In addition to caring for the child, a Parenting Delegate should be able to enroll a child in school and obtain school records, and consent to medical care and obtain medical and health records. The delegate may obtain access to, and manage funds available to, the child. For example, a delegate could apply for government benefits on behalf of a child.
 6. Travelling out of the country with the child.
 - a. A parent may limit a delegate's ability to travel out of the country with the child.
 - b. If the delegate plans to travel out of the country with the child, the child will need a passport. The delegation document does not take the place of a passport.
 - c. This Delegation of Parental Powers is authorized under Idaho law. It may not be considered valid in another country. The delegate may desire to look into the law of the other country before travelling there with the child using this delegation.
 7. Effectiveness of the Parenting Delegation. Consider when the Parenting Delegation is effective. You can sign several Parenting Delegations to cover every six months for the next several years so that you can be sure that there is a signed parenting delegation that will be effective if you are taken into detention in 8 months or 13 months from now. If you choose to create several parenting delegations to cover the next 2 or 3 years, start the first one on the same date as your signature; make the next document effective six months from the date of your signature; make the next document effective six months from the effective date of the second document, etc.
 8. Signature(s) of Parents and date. The parent(s) should sign their full name as listed on IDs and at the top of the delegation. Put the date on which you are signing the document.
 9. Notarization: **The Parenting Delegation must be notarized.** Notarization may help avoid problems over whether the document is valid and whether the parent, child, or delegate is the right person named in the document. Notarization may be particularly important if the delegate plans to travel outside the U.S. with the children.
 10. If the parents know the child's school and health care providers, the parent may want to contact them and sign the school or doctor's form allowing the Delegate to have access to records and, in the case of medical issues, consent to treatment. If the parent can complete these additional steps, they will help things go more smoothly for the Delegate.