In the Court of Common Pleas, Lucas County, Ohio JUVENILE DIVISION

Instructions for:

CHILD CARE POWER OF ATTORNEY CARETAKER AUTHORIZATION AFFIDAVIT

This packet was prepared for your convenience and ease in filing a CHILD CARE POWER OF ATTORNEY or a CARETAKER AUTHORIZATION AFFIDAVIT. Both allow grandparents to exercise parental authority over grandchildren living with grandparents, but they are different:

- A POWER OF ATTORNEY can only be filed by a parent, guardian, or custodian of a child.
- A CARETAKER AUTHORIZATION AFFIDAVIT can only be filed by a **grandparent** after reasonable attempts have been made to locate or contact the child's parents, guardian, or custodian.

This packet contains both a POWER OF ATTORNEY and a CARETAKER AUTHORIZATION AFFIDAVIT. Read through both documents and their notices to determine if either is appropriate for your situation. Make certain that you understand and meet all requirements before selecting a document. **Answer all questions completely and accurately.** Use **BLACK** ink and type or neatly print all information. Use the appropriate enclosed checklist to complete the following steps:

- 1. The CHILD CARE POWER OF ATTORNEY **OR** the CARETAKER AUTHORIZATION AFFIDAVIT. The term at the top of the form, "In re," refers to the name of the child or children. The Case Number is only completed if a previous case number exists. Court staff will determine if a case number already exists or assign a case number for a new filing.
- 2. THE CHILD CUSTODY AFFIDAVIT ~ See #1 for instructions.
- 3. Each must be signed and notarized by an Ohio notary public.
- 4. File the POWER OF ATTORNEY or CARETAKER AUTHORIZATION AFFIDAVIT in the appropriate court within five (5) days, along with the:

CHILD CUSTODY AFFIDAVIT; PARTY INFORMATION FORM; CHECKLIST.

5. The documents can be filed by mailing or bringing them to:

Lucas County Juvenile Clerk's Office 1801 Spielbusch Avenue Toledo, OH 43604

There is no filing fee for these documents. Questions concerning these instructions may be addressed to a Deputy Clerk at 419-213-6682. Any legal questions should be addressed by an attorney. **Legal questions cannot be answered by Court staff.**

Termination: Documents are available in the Juvenile Clerk's Office in the event that the Power Of Attorney or CARETAKER AUTHORIZATION AFFIDAVIT is terminated. Various parties must be notified upon termination.

Last Update: 06/29/2006

IN THE COURT OF COMMON PLEAS, LUCAS COUNTY, OHIO JUVENILE DIVISION

In the matter of:			Case Number:		
Name	Date of Birth	Last 4 Digits of SS #			
rvame	Date of Birtin	East 4 Digits 01 55 #			

POWER OF ATTORNEY (R.C. 3109.52 & 3109.53)

I, the undersigned, residing at			, in the county of
, state of	, hereby appoint the child	l's grandparent,	
residing at		, in the county	of,
in the State of Ohio, with whom the child	d of whom I am the paren	nt/guardian/custodian is residir	ng, my ATTORNEY IN
FACT, to exercise any and all of my rigl	nts and responsibilities reg	garding the care, physical cus	tody, and control of the
child,	, born	, having social secu	urity number (optional)
, except my a	authority to consent	to marriage or adop	tion of the child
	, and to perform all a	cts necessary in the execut	ion of the rights and
responsibilities hereby granted, as fully	as I might do if persona	ally present. The rights I am	transferring under this
POWER OF ATTORNEY include the ab	ility to enroll the child in	school, to obtain from the scl	hool district educational
and behavioral information about the chil	d, to consent to all school	-related matters regarding the	child, and to consent to
medical, psychological, or dental treatmer	nt for the child. This transf	fer does not affect my rights in	any future proceedings
concerning the custody of the child or the	allocation of the parental	rights and responsibilities for	the care of the child and
does not give the ATTORNEY IN FACT	Γ legal custody of the chi	ld. This transfer does not terr	minate my right to have
regular contact with the child.			

I hereby certify that I am transferring the rights and responsibilities designated in this POWER OF ATTORNEY because one of the following circumstances exists:

- 1. I am: (a) Seriously ill, incarcerated, or about to be incarcerated, (b) Temporarily unable to provide financial support or parental guidance to the child, (c) Temporarily unable to provide adequate care and supervision of the child because of my physical or mental condition, (d) Homeless or without a residence because the current residence is destroyed or otherwise uninhabitable, or (e) In or about to enter a residential treatment program for substance abuse;
- 2. I am a parent of the child, the child's other parent is deceased, and I have authority to execute the POWER OF ATTORNEY; or
- 3. I have a well-founded belief that the POWER OF ATTORNEY is in the child's best interest.

I hereby certify that I am not transferring my rights and responsibilities regarding the child for the purpose of enrolling the child in a school or school district so that the child may participate in the academic or interscholastic athletic programs provided by that school or district.

I understand that this document does not authorize a child support enforcement agency to redirect child support payments to the grandparent designated as ATTORNEY IN FACT. I further understand that to have an existing child support order modified or a new child support order issued administrative or judicial proceedings must be initiated.

If there is a court order naming me the residential parent and legal custodian of the child who is the subject of this POWER OF ATTORNEY and I am the sole parent signing this document, I hereby certify that one of the following is the case:

- 1. I have made reasonable efforts to locate and provide notice of the creation of this POWER OF ATTORNEY to the other parent and have been unable to locate that parent;
- 2. The other parent is prohibited from receiving a notice of relocation; or
- 3. The parental rights of the other parent have been terminated by order of a juvenile court.

This POWER OF ATTORNEY is valid until the occurrence of whichever of the following events occurs first: (1) I revoke this POWER OF ATTORNEY in writing and the juvenile court with which this POWER OF ATTORNEY was filed; (2) the child ceases to reside with the grandparent designated as ATTORNEY IN FACT; (3) this POWER OF ATTORNEY is terminated by court order; (4) the death of the child who is the subject of the POWER OF ATTORNEY; or, (5) the death of the grandparent designated as the ATTORNEY IN FACT.

WARNING: DO NOT EXECUTE THIS POWER OF ATTORNEY IF ANY STATEMENT MADE IN THIS INSTRUMENT IS UNTRUE. FALSIFICATION IS A CRIME UNDER SECTION 2921.13 OF THE REVISED CODE, PUNISHABLE BY THE SANCTIONS UNDER CHAPTER 2929 OF THE REVISED CODE, INCLUDING A TERM OF IMPRISONMENT OF UP TO 6 MONTHS, A FINE OF UP TO \$1,000, OR BOTH.

Witness my hand this	day of	, in the year	
		Parent/Custodian/Guardian's signatu	re
		Parent's signature	
		Grandparent's signature (Designated as ATTORNEY IN FA	CT)
ate of Ohio	: :§ - :		
Subscribed, sworn to,	and acknowledged before me this	day of, in the yea	ır
		Notary Public	

NOTICES:

- 1. A POWER OF ATTORNEY may be executed only if one of the following circumstances exists: (1) The parent, guardian, or custodian of the child is: (a) Seriously ill, incarcerated or about to be incarcerated; (b) Temporarily unable to provide financial support or parental guidance to the child; (c) Temporarily unable to provide adequate care and supervision of the child because of the parent's, guardian's, or custodian's physical or mental condition; (d) Homeless or without a residence because the current residence is destroyed or otherwise uninhabitable; or (e) In or about to enter a residential treatment program for substance abuse; (2) One of the child's parents is deceased and the other parent, with authority to do so, seeks to execute a POWER OF ATTORNEY; or (3) The parent, guardian, or custodian has a well-founded belief that the POWER OF ATTORNEY is in the child's best interest.
- 2. An Ohio Notary Public MUST notarize the signatures of the parent, guardian, or custodian of the child and the grandparent designated as the ATTORNEY IN FACT.
- 3. A parent, guardian, or custodian who creates a POWER OF ATTORNEY must notify the parent of the child who is not the residential parent and legal custodian of the child unless one of the following circumstances applies: (a) the parent is prohibited from receiving a notice of relocation in accordance with section 3109.051 of the Revised Code of the creation of the POWER OF ATTORNEY; (b) the parent's parental rights have been terminated by order of a juvenile court pursuant to Chapter 2151 of the Revised Code; (c) the parent cannot be located with reasonable efforts; (d) both parents are executing the POWER OF ATTORNEY. The notice MUST be sent by certified mail not later than five (5) days after the POWER OF ATTORNEY is created and MUST state the name and address of the person designated as the ATTORNEY IN FACT.
- 4. A parent, guardian, or custodian who creates a POWER OF ATTORNEY MUST file it with the juvenile court of the county in which the ATTORNEY IN FACT resides, or any other court that has jurisdiction over the child under a previously filed motion or proceeding. The POWER OF ATTORNEY be filed not later than five (5) days after the date it is created and be accompanied by a receipt showing that the notice of creation of the POWER OF ATTORNEY was sent to the parent who is not the residential parent and legal custodian by certified mail.
- 5. This POWER OF ATTORNEY does not affect the rights of the child's parents, guardian, or custodian regarding any future proceedings concerning the custody of the child or the allocation of the parental rights and responsibilities for the care of the child and DOES NOT give the ATTORNEY IN FACT legal custody of the child.
- 6. A person or entity that relies on this POWER OF ATTORNEY, in good faith, has no obligation to make any further inquiry or investigation.
- 7. This POWER OF ATTORNEY terminates on the occurrence of whichever of the following occurs first: (1) the POWER OF ATTORNEY is revoked in writing by the person who created it and that person gives written notice of the revocation to the grandparent who is the ATTORNEY IN FACT and the juvenile court with which the POWER OF ATTORNEY was filed; (2) the child ceases to live with the grandparent who is the ATTORNEY IN FACT; (3) the POWER OF ATTORNEY is terminated by court order; (4) the death of the child who is the subject of the POWER OF ATTORNEY; or, (5) the death of the grandparent designated as the ATTORNEY IN FACT.

If this POWER OF ATTORNEY terminates other than by the death of the ATTORNEY IN FACT, the grandparent who served as the ATTORNEY IN FACT shall notify, in writing, all of the following:

- (a) Any schools, health care providers, or health insurance coverage provider with which the child has been involved through the grandparent;
- (b) Any other person or entity that has an ongoing relationship with the child or grandparent such that the other person or entity would reasonably rely on the POWER OF ATTORNEY unless notified of the termination;
- (c) The court in which the POWER OF ATTORNEY was filed after its creation; and
- (d) The parent who is not the residential parent and legal custodian of the child who is required to be given notice of its creation. The grandparent shall make the notifications not later than one (1) week after the date the POWER OF ATTORNEY terminates.
- 8. If this POWER OF ATTORNEY is terminated by written revocation of the person who created it, or the revocation is regarding a second or subsequent POWER OF ATTORNEY, a copy of the revocation MUST be filed with the court with which that POWER OF ATTORNEY was filed.

ADDITIONAL INFORMATION:

TO THE GRANDPARENT DESIGNATED AS ATTORNEY IN FACT:

- 1. If the child stops living with you, you are required to notify, in writing, any school, health care provider, or health care insurance provider to which you have given this POWER OF ATTORNEY. You are also required to notify, in writing, any other person or entity that has an ongoing relationship with you or the child such that the person or entity would reasonably rely on the POWER OF ATTORNEY unless notified. The notification must be made not later than one (1) week after the child stops living with you.
- 2. You must include with the POWER OF ATTORNEY the following information:
 - (a) The child's present address, the addresses of the places where the child has lived within the last five (5) years, and the name and present address of each person with whom the child has lived during that period;
 - (b) Whether you have participated as a party, a witness, or in any other capacity in any other litigation, in this State or any other State, that concerned the allocation, between the parents of the same child, of parental rights and responsibilities for the care of the child and the designation of the residential parent and legal custodian of the child or that otherwise concerned the custody of the same child;
 - (c) Whether you have information of any parenting proceeding concerning the child pending in a court of this or any other State:
 - (d) Whether you know of any person who has physical custody of the child or claims to be a parent of the child who is designated the residential parent and legal custodian of the child or to have parenting time rights with respect to the child or to be a person other than a parent of the child who has custody or visitation rights with respect to the child;
 - (e) Whether you previously have been convicted of or pleaded guilty to any criminal offense involving any act that resulted in a child's being an abused child or a neglected child or previously have been determined, in a case in which a child has been adjudicated an abused child or a neglected child, to be the perpetrator of the abusive or neglectful act that was the basis of the adjudication.
- 3. If you receive written notice of revocation of the power of attorney or the parent, custodian, or guardian removes the child from your home and if you believe that the revocation or removal is not in the best interest of the child, you may, within fourteen days, file a complaint in the juvenile court to seek custody. You may retain physical custody of the child until the fourteen-day period elapses or, if you file a complaint, until the court orders otherwise.

TO SCHOOL OFFICIALS:

- 1. Except as provided in section 3313.649 of the Revised Code, this POWER OF ATTORNEY, properly completed and notarized, authorizes the child in question to attend school in the district in which the grandparent designated as ATTORNEY IN FACT resides and that grandparent is authorized to provide consent in all school-related matters and to obtain from the school district educational and behavioral information about the child. This POWER OF ATTORNEY DOES NOT preclude the parent, guardian, or custodian of the child from having access to all school records pertinent to the child.
- 2. The school district may require additional reasonable evidence that the grandparent lives in the school district.
- 3. A school district or school official that reasonably and in good faith relies on this POWER OF ATTORNEY has no obligation to make any further inquiry or investigation.

TO HEALTH CARE PROVIDERS:

- 1. A person or entity that acts in good faith reliance on a POWER OF ATTORNEY to provide medical, psychological, or dental treatment, without actual knowledge of facts contrary to those stated in the POWER OF ATTORNEY, is not subject to criminal liability or to civil liability to any person or entity, and is not subject to professional disciplinary action, solely for such reliance if the POWER OF ATTORNEY is completed and the signatures of the parent, guardian, or custodian of the child and the grandparent designated as ATTORNEY IN FACT are notarized.
- 2. The decision of a grandparent designated as ATTORNEY IN FACT, based on a POWER OF ATTORNEY, shall be honored by a health care facility or practitioner, school district, or school official.

In the Court of Common Pleas, Lucas County, Ohio **JUVENILE DIVISION**

In the matter of:			Case Number:
Name	Date of Birth	SS #	

PARTY INFORMATION FORM REQUIRED FOR FILING POWER OF ATTORNEY / CARETAKER **AUTHORIZATION AFFIDAVIT ACTIONS**

1.	Name, Date of Birth and Sex of child:					
	Name:	DOB:	Sex:			
2.	Biological Father's Name:	(Alias Name)	DOB:			
	Complete Address:		Zip Code:			
	SS #:	Phone Number:				
3.	Biological Mother's Name:	(Maiden/Alias Name)	DOB:			
	Complete Address:		Zip Code:			
	SS #:	Phone Number:				
4.	Grandparent(s) Name(s):	DOB	:			
	Complete Address:		Zip Code:			
	SS #:	Phone Number:				
5.	Current Address of child:		Zip Code:			
6.	Name of person (s) currently providing of	are and supervision:				
	Phone Number:					
7.	Was a Child Custody Affidavit, mandate	d by § 3109.27-O.R.C., filed?	\square Yes \square No			
8.	Has the Father of the child(ren) been ord	ered to pay Child Support?	□ Yes □ No			
9.	Does any other person (s), excluding the biological parents, have any Court Ordered Custody or Visitation Rights					
	concerning this child?		\square Yes \square No			
	If so, please list ~					
	Name:					
	Complete Address:		Zip Code:			
	Last 4 Digits of SS #:					
10.	Are any Social Service Agencies current	ly involved with this child or these children?	□ Yes □ No			
	If so list Agency ~					
	Name:	Caseworker	: :			

Last Update: 9-24-2014

IN THE COURT OF COMMON PLEAS, LUCAS COUNTY, OHIO JUVENILE DIVISION

the matter of:			Case Number:	
ame	Date of Birth	Last 4 Digits	Power of Attorney Caretaker Author Additional Necess Pursuant to 3109.74	AIZATION AFFIDAVIT
the following	est that the court not	disclose my current ac	, being sworn nild(ren): Iddress or that of the child(ren). My address is confrotect the health, safety, or liberty of myself and/o	
MinorInsert to for all	child(ren) are subject the information requiplaces where the chi	t to this case as follow ested below for all about d(ren) have lived for	vs: ove referenced minor or dependent child(ren). You the last FIVE years. Place of	` '
Child's Na			Birth: Sex: □ Male □ Female	
<u>Perioc</u>	l of Residence	Check if Confidential	Person(s) With Whom Child Lived (name & address)	Relationship
	to PRESENT to to to	☐ Address Confidential? ☐ Address Confidential? ☐ Address Confidential? ☐ Address Confidential?		
2. Name	and present address	of each person with w	hom the child has lived during all of these periods	

IF MORE SPACE IS NEEDED TO LIST ADDITIONAL CHILDREN, ATTACH A SEPARATE PAGE AND CHECK THIS BOX $\;\Box$

3.	Participation in case(s): (CHECK ONLY ONE BOX.) I HAVE NOT participated as a party, witness, or in any capacity in any other case, in this or any other state, concerning the allocation, between parents of the same child, of parental rights and responsibilities for the care of the child and the designation of the residential parent and legal custodian of the child or that otherwise concerned the custody of the same child.						
	I HAVE participated as a party, witness, or in any capacity in any other case, in this or any other state, concerning the allocation, between parents of the same child, of parental rights and responsibilities for the care of the child and the designation of the residential parent and legal custodian of the child or that otherwise concerned the custody of the same child. For each case in which you participated, give the following information: a. Name of each child:						
	b. Type of case:						
	c. Court and State:						
	d. Date and court order or judgment (if any):						
	IF MORE SPACE IS NEEDED FOR ADDITIONAL CASES,						
	ATTACH A SEPARATE PAGE AND CHECK THIS BOX \square						
4.	Information about other parenting proceeding(s) concerning the child pending in a court of this or any other state: (CHECK ONLY ONE BOX.)						
	☐ I HAVE NO INFORMATION about any other cases that could affect the current case, including any cases relating to custody, domestic violence or protection orders, dependency, neglect or abuse allegations or adoptions concerning any child subject to this case.						
	☐ I HAVE THE FOLLOWING INFORMATION concerning other civil cases that could affect the current case, including any cases relating to custody, domestic violence or protection orders, dependency, neglect or abuse allegations or adoptions concerning a child subject to this case. Do not repeat cases already listed in Paragraph 3. Explain:						
	a. Name of each child:						
	b. Type of case:						
	c. Court and State:						
	d. Date and court order or judgment (if any):						
	IF MORE SPACE IS NEEDED FOR ADDITIONAL CUSTODY CASES,						
	ATTACH A SEPARATE PAGE AND CHECK THIS BOX $\ \square$						
5.	Do you know of any person who has physical custody of the child or claims to be a parent of the child who is designated the residential parent and legal custodian of the child or to have parenting time rights with respect to the child or to be a person other than a parent of the child who has custody or visitation rights with respect to the child?						

		was a family or household r		defined in R.C. 2950.01; and any offense fense and caused physical harm to the victim		
	<u>Name</u>	Case Number	Court/State/Count	Convicted of What Crime?		
			NEEDED FOR ADDITION TE PAGE AND CHECK			
7.		we been determined, in a cattor of the abusive or neglect		n adjudicated an abused child or a neglected the adjudication?		
	Name		Case Number	Court/State/County		
			OATH			
		(Do Not	Sign until Notary is Presen	t)		
				_ , swear or affirm that I have read this n stated in this document are true, accurate alties for perjury.		
			Your Signature			
1 our signiture						
	Sworn before	me and signed in my presen	ce this day of			
			Notary Public			
			My Commission Ex	pires:		

List all of the criminal convictions, including guilty pleas, for you and the members of your household for the following offenses: any criminal offense involving acts that resulted in a child being abused or neglected; any domestic violence

Information about criminal case(s):

Last Update: 04/11/2017

GRANDPARENT'S DOMESTIC VIOLENCE QUESTIONNAIRE

			Case #:		
	PETITIONER STATES THE FOLLOWING IS TRU WLEDGE AND BELIEF:	E AND ACCU	RATE TO TI	HE BEST OF I	HIS/HER
1.)	HAS EITHER GRANDPARENT/PETITIONER DOMESTIC VIOLENCE, WHERE AT THE TIM WAS A MEMBER OF THE FAMILY OR HOUSE	E OF THE DO	ŕ		
2.)	HAS EITHER GRANDPARENT/PETITIONER OFFENSE, WHERE DURING THE COMMISSI CAUSE TO A MEMBER OF THE FAMILY OR H	ON OF THE	OFFENSE		
3.)	HAS EITHER GRANDPARENT/PETITION PERPETRATOR OF AN ABUSIVE ACT THAT CHILD IS AN ABUSED CHILD?				
4.)	IS THERE CURRENTLY A PROTECTION COPARTIES TO THIS ACTION?	PRDER IN PI	ACE INVO □ YES	LVING ANY	OF THE
5.)	HAVE THE PARTIES PARTICIPATED IN MED	IATION IN T	HE PAST? □ YES	□NO	
5.)	HAVE ANY OF THE PARTIES BEEN INV SERVICES BOARD?	VOLVED WI'	ΓΗ LUCAS □ YES	COUNTY C	CHILDREN
If you	answered YES to any of the above questions, please provid	e a brief explanat	ion here:		
		Petitioner's Sign	nature		
		Petitioner's Sign	nature		

Last Update: 09/28/2018