

## LEGAL FACT SHEET

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### Designation of Person in Parental Relationship Q & A

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#### Who may complete this form?

- A parent of a child.<sup>1</sup>
- If there are two parents and there is a court order of joint legal custody, both parents must sign the form.<sup>2</sup>

#### How long is the form valid for?

- Up to 30 days with a signature by the parent(s).<sup>3</sup>
- Up to 12 months if the parent(s)' signature is notarized.<sup>4</sup>

#### What can the person who I designate do for my child?

- Consent to medical and/or educational treatments, diagnoses, and/or activities.<sup>5</sup>

#### What if I change my mind?

- You can revoke this designation at any time, for any reason.<sup>6</sup> You may do so either in writing or by telling the person that you had designated<sup>7</sup>, but it is recommended to do it in writing. You should also notify any doctors, schools, and anyone else that received the designation form that you have revoked it.
- If the form was signed by two parents and only one parent revokes it, it is no longer valid.<sup>8</sup>
- If you sign a new form designating a different person, the prior form is no longer valid.<sup>9</sup>

#### If I sign a form, does the person I designate have to financially support my child?

- No.<sup>10</sup>

#### What if the designee lives in a different school district than where my child has been attending school?

- The form does not establish residency for the child in the new district; the child shall continue to attend school in their current district.<sup>11</sup>

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<sup>1</sup> General Obligations Law § 5-1551

<sup>2</sup> See footnote 1

<sup>3</sup> See footnote 1

<sup>4</sup> See footnote 1

<sup>5</sup> General Obligations Law § 5-1553

<sup>6</sup> General Obligations Law § 5-1554

<sup>7</sup> See footnote 6

<sup>8</sup> See footnote 6

<sup>9</sup> See footnote 6

<sup>10</sup> General Obligations Law § 5-1554(1)

<sup>11</sup> General Obligations Law § 5-1554(3)

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### What if I die while the form is in place?

- The form is no longer valid.<sup>12</sup>

### What if the designee makes a decision about my child that I don't agree with?

- The parent's decision will trump the decision of the designee.<sup>13</sup>

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<sup>12</sup> General Obligations Law § 5-1554(4)

<sup>13</sup> General Obligations Law § 5-1554(5)