

**IN THE COURT OF COMMON PLEAS
DOMESTIC RELATIONS DIVISION
SUMMIT COUNTY, OHIO**

Administrative Judge Katarina Cook

**INSTRUCTIONS AND INFORMATION FOR
CARETAKER AUTHORIZATION AFFIDAVIT
AND
GRANDPARENT POWER OF ATTORNEY**

The law permits grandparents to obtain “physical custody, care, and control” over a grandchild who **lives with the grandparent** in two ways.

1. A Caretaker Authorization Affidavit (“**CAA**”) is completed by a grandparent who is unable to locate one or both parents;
2. a Grandparent Power of Attorney (“**POA**”) is completed by a parent, guardian, or custodian when he or she is temporarily unable to care for the child or believe it to be in the child’s best interest.

Both methods allow the grandparent to:

- (1) Enroll the child in school;
- (2) Obtain educational and behavioral information about the child from the school district;
- (3) Consent to all school-related matters regarding the child; and
- (4) Consent to medical, psychological or dental treatment for the child.

An executed CAA or POA does **NOT** grant the grandparent legal custody of the child, and may NOT be filed if there is an active case pending in either the Domestic Relations or Juvenile Court.

The grandparent must certify that the affidavit is not being executed solely to enroll a child in a particular school district or to allow them to be involved in athletics in that district.

Read through this entire packet to determine whether a CAA or a POA is appropriate for you.

Please answer **ALL** questions completely and accurately and complete all necessary forms.

A **CAA** is executed by the child's grandparent when the child **lives with the grandparent** AND despite reasonable efforts, the parents **CANNOT** be located.

A CAA:

- (1) Must be signed by the grandparent and this signature must be Notarized by an Ohio Notary Public; and
- (2) The executed CAA must be filed within FIVE (5) days of being executed with the Domestic Relations Court where the grandparent and child reside. However, in Summit County, this Affidavit must be filed in the Domestic Relations Division if the parties have a pre-existing parentage, divorce, dissolution, legal separation, or annulment case in the Court.

A **POA** is executed by the child's parent, guardian, or legal custodian.

A POA:

- (1) Must be signed by both parents and the grandparent authorized to act on behalf of the child; these signatures must be Notarized by; an Ohio Notary Public; and
- (2) The executed POA must be filed within FIVE (5) days of being executed with the Domestic Relations Court where the grandparent resides.
- (3) If the POA is executed by only one parent, the residential parent, and the parents are not married, the residential parent must notify the non-residential parent of the creation of the POA and file with the POA a receipt showing that the notice of the creation of the POA was sent to the non-residential parent by certified mail.

Each CAA and POA filed with the Court must be accompanied by the following forms:

1. Child Parenting Information Affidavit (UCCJEA); and
2. New Case Designation form.

There is NO FILING FEE to file these documents. If you have legal questions regarding these documents please contact an attorney. The Court staff is prohibited from providing you with legal advice or assisting you in the preparation of these documents.