



Power of Attorney Guidance

COVID-19 has created many challenges for residents across New Jersey. Families are rightfully concerned about the impact the Novel Coronavirus could have on them if one or both parents become sick. The New Jersey Department of Children and Families recognizes that these are uncomfortable, but necessary conversations.

Preparation and planning are vital elements of disaster/pandemic readiness. Taking proactive steps can help to alleviate fear and stress related to uncertainty. There are a few things families can do before experiencing a possible quarantine or hospitalization that requires separation from your child(ren).

First, gather any documents regarding custody, health or education so that they are accessible to anyone who may need to step in to assist. Those documents include:

- Custody or Guardianship Orders related to your child(ren)
- Birth certificates
- Important health records
- Health Insurance cards/documents
- School Records
- Living Will
- Will and/or Trust Documents
- Social Security Cards
- A list of important contacts (names, phone numbers, etc.)

Second, in the absence of the availability of another parent or guardian to ensure the well-being of a child during a COVID-19 related separation, residents may need to appoint a person they trust to serve in that capacity.

Parents or guardians can appoint a person in advance of any circumstance that would prevent them from caring for the child themselves. One option is to use a power of attorney or “attorney in fact.”

The legal document to achieve this is called a power of attorney form. Parents or guardians can determine the duration (not to exceed 6 months) and the powers authorized to the power of attorney.

It is recommended that parents or guardians have a conversation with the person they intend to appoint about the plan and the specifics so that all obligations and expectations are understood and agreed, though a signature is not necessary.

This information is not intended to be, and should not be construed as, legal advice. Any questions about executing a power of attorney should be directed to an attorney.