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Our On Call attorneys are here for you. Rocket Lawyer On Call® Attorneys A temporary guardianship might be an option if: You only need a temporary guardianship for 6 months or less; AND The parents will sign and notarize a temporary guardianship agreement. Only one parent's signature is needed if the other parent is deceased, unknown, has no legal rights, or has had their parental rights terminated; AND If the child is 14 or older, the child will sign the agreement. If all of the above apply, you may be able to avoid a court order and get a temporary guardianship instead. A temporary guardianship agreement is a private agreement that does not require a judge's approval. A temporary guardianship takes effect the day that all required parties sign the document, and automatically expires six months after that date if no sooner date is given. If a guardianship is still needed after six months, the parties can sign another temporary guardianship agreement or they can file for permanent guardianship through the court. \*A temporary guardianship agreement may not work for all purposes.\* Usually, it cannot be used to get medical insurance for a child, and some medical providers may not accept it. A permanent court order might be needed for these issues. Six-Month Temporary Guardianship Agreement (pdf fillable) You can attend a FREE GUARDIANSHIP CLASS where you can learn the basics of guardianship law and the court procedures you need to know. Classes are available to anyone, regardless of income, and regardless of whether you have an attorney. You'll receive a class manual and some great tips to help you represent yourself. Visit Free Classes for more information. Contact us whenever you need it! +1 855 997 0206 Contact hours: Mon-Fri 8am - 10pm EThelpFAQContact UsArticlesLegal DictionaryResourcesLog inCreate Free AccountMenu We are not a law firm and we do not provide any legal advice. The free legal document templates offered in this website are merely for informational purposes, to be used within the United States, for private needs and purposes. The User takes sole responsibility for the use of the templates. The use of this website is subject to our Terms of Services. © Copyright 2022 www.lawdistrict.com All Rights Reserved. Your Free Temporary Guardianship Form makes provision for local travel with a temporary guardian as well as being a child medical consent form. Should the child be traveling across borders or even locally for a once-off excursion with a school or organization, you can use the stand-alone free child travel consent form. Be sure to read the important information before completing the form lower down on this page. The purpose of the free temporary guardianship form supplied here is for voluntary and temporary use and is an informal letter issued by the parents in a private agreement. There is no need to have court approval for this purpose. In this instance Temporary would mean for a limited time (normally not exceeding 30 days) and Guardian denoting a person lawfully invested with the power to take care of and manage the property and rights of a person (such as a minor). Note: This does not in any way diminish or terminate the rights of the parent! On the other hand, only a court order can grant custody of a child and can do so without the consent of the parent. Take a look at our Guardianship Infographic - it will give you a good overview of your legal options when caring for minors and will show you if or when - and to what extent - the courts need to get involved. Rights of a Temporary Guardian A temporary guardianship form is typically used, for example, when a single parent needs to be hospitalized or when parents are traveling abroad and are leaving their child in the care of a family member or trusted friend. Another instance may be when the child is going on a field trip or excursion with a school, on a sports trip or on holiday with friends. The rights of the guardian would simply be to make day-to-day decisions for a child, on behalf of the parent. At times it may be impossible to get hold of parents in an emergency situation, so your free temporary guardianship form granting permission to authorize medical treatment can prevent serious delays. In the case of the child being looked after by a child minder you can use our stand-alone medical consent form. In this instance there is no need to complete the temporary guardianship form. You can download your Parental Medical Consent Form and Parental Travel Consent Form by clicking on the following links, but do take some time and explore the useful tips and information on this page first. If the child's last name (surname) is different from the parent you may need a marriage certificate, name change document, adoption papers etc. to prove the relationship. To avoid administrative hassles during an emergency you should attach a copy of your Medical Aid or Health insurance to your Temporary Guardianship Form. Make sure you initial wherever alterations are made with full signatures at the end. Witness signatures must be by independent persons and not by anybody listed on the temporary guardianship document. THE PARTIES TO THIS AGREEMENT ARE: THE PARENT(S) / GUARDIAN(S) Full Name and Surname: Identity / Social Security or Other (Specify) number: Full Name and Surname: Identity / Social Security or Other (Specify) number: Physical Address: Contact Details: (hereinafter referred to as "the Parent / Guardian") THE CHILD Full Name and Surname: Birth Date / Identifying numbers: (hereinafter referred to as "the Child") THE TEMPORARY GUARDIAN(S) Full Name and Surname: Identity / Social Security or Other (Specify) number: Full Name and Surname: Identity / Social Security or Other (Specify) number: Physical Address: Contact Details: (hereinafter referred to as "the Temporary Guardian") I, the Parent / Guardian of the Child hereby grant temporary guardianship to the Temporary Guardian for the period from the day of 20 and expiring on the day of 20 . 1. I hereby acknowledge that the Child will reside with the Temporary Guardian and may travel locally with the Temporary Guardian. 2. I authorize the Temporary Guardian to act on my behalf in making all decisions on a daily basis as to the Child's activities. 3. I authorize the Temporary Guardian to administer general first aid treatment for minor injuries or illnesses experienced by the Child except where any such first aid treatment is specifically excluded hereunder: 4. I authorize the Temporary Guardian, in the event that I cannot be contacted or if any urgency dictates, to act in loco parentis for the Child in respect of any circumstances, including any accident or illness, which may necessitate medical treatment, including surgery, and on my behalf to authorize any such treatment or surgery which they, in their sole discretion, (which discretion shall not be unreasonably exercised), may deem necessary. Medical treatment for the Child may also include dental surgery, x-ray, blood transfusion, anesthetic and medication provided any such medical treatment is performed by a duly licensed practitioner. I hereby accept full liability for all costs incurred through such medical treatment for the Child. 5. Persons responsible should please note the following: (Please state aspects eg. allergies, tendency towards abnormal bleeding, epilepsy, etc.) Present prescribed, or other medication that is being administered: 6. The following information is essential in case of medical treatment or hospitalization: 6.1. Name and Address of Employer: 6.2. Medical Aid / Insurer: 6.2. Policy Number: 7. I indemnify the Temporary Guardian against any and all claims whatsoever and howsoever arising, save where such claims arise from negligence, gross negligence or willful intent during the specified period of Temporary Guardianship. 8. I declare that I am the legal custodian of the Child and that I have legal authority to appoint a Temporary Guardian for the Child. 9. Unless inconsistent with the context, words signifying the singular shall include the plural and vice versa. Signed at on this day of 20 SIGNATURE (Parent / Guardian) (Parent / Guardian) WITNESS 1: WITNESS 2: \*\*\* The organizers of an excursion, field trip or sports tour will usually issue their own forms requesting information as well as indemnifying them against claims. If you do not agree with or understand any particular clause, you should take it up with them - no reason to feel compelled to sign anything you are not comfortable with. If they do not ask for details such as allergies or current medication you should add it as a footnote or as an (attached) addendum. If you know your child's blood group you should add that too. Do Both Parents have to Sign the Temporary Guardianship or Travel Consent Form? Yes. Unless one parent is deceased, has no legal rights, is unknown etc. A parent may need a parental travel consent form from the other parent if he / she does not have legal custody or even if they have joint legal custody. If a parent does have sole legal custody, he/she should have a certified copy of the court document granting him/her custody when traveling across international borders. It is unfortunately true that there has been an increase in parental child abduction and one can therefore understand the need for added scrutiny of travel documents at border crossings. Should a guardian go on a trip across borders it is imperative to issue a parental travel consent form with your temporary guardianship form. Even if the child is traveling with a parent, the legal circumstances may be such that the non-traveling parent may have to sign a parental travel consent form. Temporary Guardianship Form to Enroll in School You would not necessarily need a formal court order of custody or guardianship in order to enroll a child in the district of the guardian. However! You cannot grant temporary guardianship for the sole purpose of getting a child entrance into a school in a different district. The guardian needs to be supporting and caring for the child and must be a bona fide provider of accommodation for the child because the parent is unable or unwilling to do so. The school should be able to provide you with a third-party custody form where you will make a declaration that you are the guardian and are caring for the child. Supporting documents with your free Temporary Guardianship Form could include your affidavit of residence or lease agreement showing the child as occupant, proof that the parents are incarcerated or in active military service outside the area, proof that you've been paying for the child's medical expenses etc. Giving Guardianship to Grandparents Parents can give temporary guardianship to grandparents (as they can do to a trusted friend) without getting approval from a judge. As we said at the start of this page, this is a voluntary and informal private agreement for a limited time. If the time period needs to be extended another temporary agreement can be signed. Parents may have reason to sign over full custody to grandparents. This entails the completion of the required court forms and signing by parents and grandparents in the presence of a notary public. It also entails the grandparents to fulfill the legal requirements for a guardian and being willing and able to execute the duties and responsibilities of a guardian. If grandparents wish to obtain permanent guardianship or custody without consent from the parents, they will need to file a petition with the court and must cite valid reasons and convince the court that this will be in the best interest of the child, in order to be appointed as legal guardians. Grandparents' Medical Consent Form Being direct family of a child does not automatically authorize a grandparent to make health care decisions for a grandchild. However, grandparents can authorize medical treatment if they have a child medical consent form from the parents or legal guardian. It is important to note that this form should be kept current, i.e. specify effective dates which should not exceed 6-12 months lest it be considered as expired by a medical institution. Permanent guardianship (and thereby continuing medical consent) must be approved by the court. If you use our free temporary guardianship template or any other parental consent form supplied here, it adds credibility to have them notarized. Especially if this document forms part of a petition to a court or any legal proceeding in court! Some medical institutions may not regard a medical consent form as valid unless it is notarized! If you choose to have them notarized you should not sign them beforehand since the notary public or commissioner of oath must witness your signature. Be sure to take all identification documents along - your own as well as your child's (e.g. birth certificate. Note: if one parent on the birth certificate of the child is deceased you should provide a certified copy of the death certificate). How Do You Get Temporary Guardianship or Temporary Custody? Temporary Guardianship - this is normally for a limited time and with the voluntary consent of the parents. The parent retains the right to the child. Moreover, a court cannot grant temporary guardianship unless the parents have consented in writing. Temporary Custody - as determined in a court order. The court will always act in the best interest of the child and in doing so does not need parental consent. This will typically happen in divorce cases or where another adult petitions the court because a parent is unfit. In this context an unfit parent is defined as an abusive parent, or one with a drug or alcohol dependence or being mentally unfit. Such a parent will not be deemed to be able to take proper care of a child. Most often this temporary custody will become permanent in duration and a petition for any variation will have to be reconsidered by the court. Temporary Co-Guardianship In our Temporary Guardianship form we make provision for more than one adult to be appointed as guardians. This caters for the event when a child would be vacationing with another family or when parents are traveling and are entrusting the care of their child with friends. Naming both guardian adults is simpler than authorizing them on separate forms. You may also want to consider issuing a Power of Attorney for a Child and the accompanying Affidavit of Guardianship. Take a look at the above templates to decide if this will be more suitable in your circumstances. Simply copy and paste our free temporary guardianship form and other documents into your word program where you can edit it from time to time to suit your requirements. Does this site deserve your thumbs up?







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