

## **HOW GRANDPARENTS, AUNTS, UNCLES AND OTHER NON-PARENT CAREGIVERS CAN TAKE CARE OF CHILDREN WITHOUT A COURT ORDER**

Sometimes parents are not able to take care of their children and need family to help. If you are a caregiver, you may be worried you need a court order to take care of the child. Maybe someone has told you that you need a court order.

There are reasons why a court order may be difficult or expensive to get, especially if the parent cannot be located or if the parent opposes. But there are other options.

If you are taking care of someone else's child, it is best to get written permission from the parent to take care of the child. You can get a power of attorney or there is a form called an Authorization Agreement for Nonparent Caregivers. You can find the form at [www.texaslawhelp.org](http://www.texaslawhelp.org).

Even without a power of attorney or a court order, you can do the following things:

1. You do not need a court order or a power of attorney to get SNAP or Medicaid for the child. Apply for SNAP or Medicaid for the child. You can apply for "child only" SNAP or Medicaid if your income is too much. If the child is denied, then you have the right to appeal. You can call 211 to file an appeal.
2. You do not need a court order or a power of attorney to enroll the child in school. The school must allow a child to enroll in school. You may need to provide proof the child is living with you and your address and you should explain why the parents are not available. If the school says you need a court order, ask to speak to the Homeless Liaison.
3. If you are a grandparent, aunt, uncle, or adult sibling of the child, you can consent to medical care as long as the parents do not object and cannot be located. The law is Chapter 32 of the Texas Family Code.

If you have tried these things and have been turned away, or your child is not getting something essential they need, you can call 888-988-9996. No child should be denied education, medical care, or economic security because their parents are not available to take care of them.