

**GEAUGA COUNTY JUVENILE COURT  
JUDGE TIMOTHY J. GRENDALL**

**CHECKLIST – CARETAKER AUTHORIZATION AFFIDAVIT**

These instructions are provided as a public service of the Geauga County Juvenile Court, are intended as a guideline only, and are not legal advice. Depending on the circumstances of each case, additional steps may be required that are not listed below. The clerks are not attorneys and therefore cannot answer legal questions or assist you in completing the forms or deciding which forms apply to your situation. The documents that you file must be legible and completed in their entirety. The clerks may refuse for filing illegible or incomplete documents. The Court recommends that you obtain legal advice from your attorney or obtain assistance from the Court’s Help Center before preparing and filing any forms. You may make an appointment with the Help Center by calling 440-279-1834. If you decide to proceed without assistance from your attorney or from the Court’s Help Center, then you should read R.C. Sections 3109.51 to 3109.80 and the Juvenile Information Sheet titled “Nonparent Rights.”

**Background**

Except as provided in the next paragraph, if a child is living with a grandparent who has made reasonable attempts to locate and contact both of the child's parents, or the child's guardian or custodian, but has been unable to do so, then the grandparent may obtain authority to exercise care, physical custody, and control of the child including authority to enroll the child in school, to discuss with the school district the child's educational progress, to consent to all school-related matters regarding the child, and to consent to medical, psychological, or dental treatment for the child by executing a caretaker authorization affidavit, using the form titled Caretaker Authorization Affidavit, posted on the Court’s website.

The grandparent may execute a caretaker authorization affidavit without attempting to locate the following parent:

1. If paternity has not been established with regard to the child, then the child's father.
2. If the child is the subject of a custody order, then:
  - a. A parent who is prohibited from receiving a notice of relocation in accordance with R.C. Section 3109.051; or
  - b. A parent whose parental rights have been terminated by order of a juvenile court pursuant to R.C. Chapter 2151.

A caretaker authorization affidavit may not be executed with respect to a child while any of the following proceedings are pending regarding the child:

1. A proceeding for the appointment of a guardian for, or the adoption of, the child;
2. A juvenile proceeding in which one of the following applies:
  - a. The temporary, permanent, or legal custody of the child or the placement of the child in a planned permanent living arrangement has been requested.

- b. The child is the subject of an ex parte emergency custody order issued under R.C. Section 2151.31(D), and no hearing has yet been held regarding the child under R.C. 2151.314(A).
  - c. The child is the subject of a temporary custody order issued under R.C. Section 2151.33.
3. A proceeding for divorce, dissolution, legal separation, annulment, or allocation of parental rights and responsibilities regarding the child.

A caretaker authorization affidavit may not be executed for the purpose of enrolling the child in a school or school district so that the child may participate in the academic or interscholastic athletic programs provided by that school or district.

No later than five days after the caretaker authorization affidavit is executed, the caretaker authorization affidavit must be filed in a juvenile court in either (1) the county where the grandparent resides or (2) a county that has already exercised jurisdiction over the child (e.g., in a previous custody case). The grandparent may file the caretaker authorization affidavit and other required documents with the Court by certified mail.

### **Filing Requirements - Caretaker Authorization Affidavit**

- **Form - Caretaker Authorization Affidavit**
- **Form GC JF 12.5 “Supporting Facts Affidavit”**
- **Form GC JF 9.4B “Information Sheet”**

### **Additional Notes**

- Please review the forms completely before executing the forms. **It is a criminal offense to give false information or make false representations to the Court.**
- A separate Caretaker Authorization Affidavit must be created for each child.
- The Caretaker Authorization Affidavit must be notarized.
- No costs are assessed at the time of filing the Caretaker Authorization Affidavit.
- After the documents are filed, the Court may forward a copy of the documents to Geauga County Job & Family Services, which may result in an investigation of the child’s present circumstances.
- You may have a right to apply for child support payments. Please review the Juvenile Information Sheet titled “Child Support.”