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Power of Attorney for Parents and Standby Minor Guardianship

Parents may need a plan for someone to care for their children if they are unable to do so in the future. Reasons for this can vary, including long-term medical treatment, deployment, or concern about deportation. Washington's guardianship law has options to arrange legal authorization for the future care of minor children when parents can't.

- **Power of Attorney for Parents** – Parents can give legal authority to someone to care for their children under age 18 without having to go to court. Parents can name the person who will take care of their children by signing a Durable Power of Attorney for Parental Powers. The Power of Attorney (or "POA") appoints an "agent". The agent is the person who will have the authority to care for the child and be a legal decision maker for medical care, school enrollment, etc. The Power of Attorney for Parents is for temporary situations. The appointment can last for up to two years. A Power of Attorney for Parents can be completed more quickly than a guardianship if everyone agrees on the arrangement. See [RCW 11.130.145](#)

For further information and self-help forms, see Washington Law Help at the following link: [Washington Law Help Power of Attorney for Parents](#)

- **Standby Minor Guardianship** – A court can appoint a standby guardian for children under age 18. A standby guardian is someone who agrees to take care of the children and be the legal decision maker in the future when the parents can't. A petition for standby minor guardianship has to be filed with the superior court. A parent, or the person the parents want to be the standby guardian, must start the court case. The court must also find it likely that no parent will be able or willing to perform parenting functions (take care of the children) within two years. Standby minor guardianships can last until the minor turns 18.

The section of Washington's guardianship law about standby minor guardianship is RCW 11.130.220. [RCW 11.130.220](#)

Washington State Model Court Forms for Standby Minor Guardianships are different than the court forms for regular minor guardianship cases. The link for Standby Minor Guardianship cases is here:

[Court Forms: Request a Standby Minor Guardianship](#)

For information about minor guardianship cases and procedures generally, see Washington Law Help. Please note that the procedures for standby guardianships differ in some respects from regular minor guardianship cases.

[Washington Law Help Minor Guardianship](#)

- **Finding Legal Assistance**

The Washington State Bar Association has information on different options for legal assistance.

~ [Washington State Bar Association - Find Legal Help](#)