

# A 10-Step Legal Checklist for Your Adult Child

*Don't let children leave home without these!*



1. **ICE Contact** - Make sure a parent or guardian is listed as an ICE (In Case of Emergency) contact on the child's cell phone.
2. **Medical Records** – Make sure your child has easy access to his/her medical history (medications, allergies, immunizations, etc.).
  - Consider consolidating this information into one document and have your child store it in a Google doc to use at appointments.
  - College students should complete their physician's form to have a copy of existing medical records sent to the college health center or a doctor near campus.
3. **\*Health Care Proxy/Medical Power of Attorney** – Once your child turns 18, you can no longer legally make health care decisions for him/her, even if you are providing the health insurance and even if the child becomes incapacitated.
  - However, your child can sign a proxy designating who has the primary authority to make health decisions if he/she is unable to do so (especially important if the parents are divorced). Keep a copy of this signed document.
4. **HIPPA Authorization** – The Health Insurance Portability and Accountability Act (HIPPA) restricts medical providers from disclosing medical information about your adult child to anyone other than your child.
  - Your child should sign a HIPPA form, providing you access to his/her medical information. (This is especially important in the case of a child with ongoing medical or mental health issues.) Keep a copy of this form.
  - Note that some college medical centers require their own HIPPA forms which come in the welcome packet or are available online.
5. **\*Durable Power of Attorney** – Once your child is 18, you no longer have the right to act on his/her behalf.
  - Having your child sign a durable power of attorney allows a parent to handle financial matters (such as signing tax returns) if your child becomes incapacitated, studies abroad or becomes unable to handle financial matters for some other reason. A durable power of attorney can save you from having a court-appointed conservator later.
6. **\*\*Will and Trust Instruments** – If your child has sizable assets of his/her own and no descendants, he/she may need to create a will or revocable trust in order to:
  - Protect the size of the parents' taxable estates.
  - Allow someone to manage these assets while he/she is away at school.
7. **FERPA And Other Information Disclosures/Waivers** – Even though parents may be paying for their student's college attendance, schools are restricted from providing a student's educational records (grades, bills, medical records, etc.) to anyone besides the student due to the Family Education Rights and Privacy Act (FERPA).
  - Have your child complete the school's paper or electronic waiver form so you can access information such as tuition invoices and grades.



8. **Insurance** – Your child is likely still covered by your medical insurance (check to see if any insurance limitations exist for receiving care in another state or at a school) and possibly still covered by your homeowner’s and auto insurance.
- Health - Your child should have a health insurance card or a picture of it, and an HSA credit/debit card if your plan uses these.
  - Property - Your child will need a renter’s insurance policy to cover his/her belongings while living in a leased apartment. You need to verify with your insurance provider whether your policy insures your student’s belongings while he or she resides in a dormitory.
  - Auto - Coverage should be verified for any changes resulting from the child’s move to another area or state. Make sure the car your child takes to school has proof of valid insurance (and the registration) in the glove box.
9. **Proof of Identity** – Safely but accessibly stored together should be the documents your child will need to prove identity and eligibility to work in the US when accepting an internship or job: a passport, or a certified copy of birth certificate/adoption certificate and a social security card.

#### 10. **Other Considerations for Adult Children**

- **Registration to Vote & Selective Service** – At age 18, children should be reminded to register to vote, and sons should be reminded to register for the Selective Service (women are not required to register at this time).
- **Bank Accounts/Credit Cards** – If you are planning to help your student pay for tuition, food, books or amenities, you will need to arrange for access to the child’s bank account (at least to make deposits) and access to your child’s credit card account if you are planning to make any payments toward card balances.
- **File of legal, financial and medical documentation** – You should create a file or files with the child’s legal, financial and medical documentation collected together. Store this information in a location that offers security but can also be accessed by parent and/or child in a crisis.
- **Taxes** – Some children will need assistance in filing their taxes and making tax-efficient decisions, especially those who obtain their first jobs and those who have significant assets.
- **Wealth Information** – Now is a good time to let your child know about any annual gifts you have been making, any trusts for which he/she is a beneficiary and any other pertinent wealth information.

#### **Watching your children transition into more adult roles is exciting, but often a little worrying as well.**

As you launch your children into their adult lives, your Warner attorney can help you create some peace of mind by providing the will, trust and power of attorney documents you and your children need to be prepared. For assistance with these documents, contact your Warner attorney, or contact Jennifer Remondino, Chair of our Trusts and Estates group, at 616.396.3243 or [jremondino@wnj.com](mailto:jremondino@wnj.com).

*\* These documents are created as part of Warner’s traditional estate planning.*

*+ We may need to create a more sophisticated estate plan for a child with significant assets.*

