

**Please Read An Important Message regarding Powers of Attorney
from Alan Abramowitz, State Director,
Family Safety Program Office, FL Dept. of Children & Families**

Power of Attorneys should not be used by child protective staff as a safety action or when legal sufficiency has been determined. While the Power of Attorney is a legal tool that may assist parents and custodians in meeting the basic needs of a child, it does not prevent parents from taking their child from the caregiver with the Power of Attorney.

If during a protective investigation, the non-custodial caregiver has a power of attorney and the return of the child to the parent does not place the child at risk, this is a lawful use of a Power of Attorney. However, child protective staff shall not consider this decision in their overall safety action determination and shall proceed as if there is no power of attorney where the safety of the child is of concern. The protective investigator should refer the custodian to an attorney to discuss the options to ensure they have the advice of counsel to assist in making the decisions based on the circumstances and needs of the family.

Additional guidance and information via Department Operating Procedure will be forthcoming.

6/1/10