

Key legal documents for young adults

If you are a parent or guardian of a child who recently turned 18 or is in college, there is one essential task that is often overlooked: ensuring the proper legal documents are in place for your child now that they are officially an adult.

If your child does not have these documents in place, they may not have anyone who can legally step in to support them during an emergency. Even as a parent or next of kin, you may be unable to make medical decisions or access information without the proper legal documents in place. With that said, here are the key documents every young adult should have in place.

1. Medical Power of Attorney: This document lists your child's choice for a health care agent to make medical decisions if they are unable to do so. While a medical power of attorney covers a wider range of medical and legal topics like discussing a living will with doctors or managing certain health care-related financial decisions, a health care agent focuses on end-of-life or critical care scenarios when someone is unable to speak for themselves. This agent (who can be a parent or a close family member) advocates for your child's care, rather than leaving decisions to hospital policies.

2. HIPAA Authorization: Often included with the medical power of attorney but sometimes done as a separate document, this form gives health care providers permission to share your child's medical information with designated individuals. Without this, your child's medical information will not be accessible to anyone else in the middle of an emergency.

3. Living Will: While the chances of needing a living will at a young age are low, having one in place can make a tremendous difference in a crisis and offer peace of mind in this next stage of life. This document outlines your child's preferences for end-of-life medical care and treatments. It ensures their wishes are known and helps loved ones avoid painful decisions in a crisis.

4. Digital Asset Authorization: While the need for this is rare, it can be especially important in the event of serious illness or unexpected death. This form designates someone to manage or access your child's digital accounts and assets if your child cannot. Without instructions, families often face roadblocks when accessing important accounts such as email, social media, cloud storage, or banking apps.

5. Durable Financial Power of Attorney: This document allows your child to appoint someone to manage their finances, like paying bills or dealing with a landlord, if they are incapacitated or unavailable, such as studying abroad or recovering from medical issues. It ensures someone they trust can step in to help without the need for court involvement.

6. Family Educational Rights and Privacy Act (FERPA) Waiver: This waiver allows access to educational records, which are protected under federal law once a student turns 18. If your child wants someone to help them navigate financial aid, course registration, or grades, they will need to have this document on file.

Turning 18 is a milestone worth celebrating, but it also comes with newfound responsibilities and limitations. If a child or parent in your life is interested in these protections, feel free to reach out. I am here to help.