

Are Our Kids Adults Already?

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Whew! How many parents are now sitting back to catch their breath after a hectic summer of gathering all the necessary items to get their son or daughter set upon in a college dorm? You have been working on the plans for years now and finally the time has come to put things in motion. While we are all tickled pink that our children are moving on to further their education, this is a time of mixed feelings because wasn't it just yesterday we were putting them on that bus for first grade?

While most of us will continue to think of our children as children for quite some time yet, according to Pennsylvania law an individual is considered an adult upon reaching the age of eighteen. Thought should be given to a number of issues, some of them legal issues, pertaining to the transition to adulthood.

One of the things that many parents and children find helpful is for the children to provide an appropriate general Power of Attorney to parents or perhaps an older sibling. The person granted the power of attorney (called the Agent) would then have the authority to exercise certain rights to assist the eighteen-year-old (called the Principal). In the event of a sickness or a disability of the Principal (the "child"), the Agent would have the ability to interact with the college or other place of higher education. Without the power of attorney in place, the college or institution of higher education might respond by saying that the student is legally an adult and as no permission has been granted by the adult student, the college refuses to discuss anything with the parents. In the terrible event of a catastrophe, illness, or accident whereby the adult student is incapacitated physically or mentally, in order for decisions to be made pertaining to the adult student who hasn't had a Power of Attorney prepared, often it is necessary that a guardian be appointed by the county Orphans' Court (a more time intensive and more costly process).

Another document for consideration for the adult student is a Living Will. As many may know, such a document directs actions that shall or shall not be taken at a critical point, that is at the end of one's life. The Living Will makes it very

clear to health providers as to the wishes and desires of the patient for treatments to be provided or withheld.

Lastly, just like all of us, the adult student should consider the preparation of at least a basic Will. The Will should assure the proper handling and distribution of assets that the adult student had or may have acquired. A Will also gives the authority to a personal representative named in the document to assert any necessary claims against third parties in the event there had been injuries sustained as a result of an accident in or out of school.

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