



BEFORE THEY GO: THE LEGAL DOCUMENT EVERY PARENT NEEDS

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As parents, we spend 18 years preparing our kids for college. When the time comes to send them off to school, we buy everything they need for their dorm room, make sure they are registered for classes, and make sure they attend orientation, but there's one crucial item that often gets overlooked: a Power of Attorney. No matter how prepared we feel they are, it is stressful as a parent knowing that we won't be right there, available to help, if there is a problem. The fact that most college freshmen turn 18 years old before they leave home only exacerbates the problem. Once your child turns 18, they are legal adults under state law, and you as the parent, no longer have legal authority to make decisions on their behalf, even in an emergency. That means you could be blocked from accessing their medical information, speaking with their doctors, or managing their finances when they need you most.

Why This Matters

Imagine your child is away at school and ends up in the hospital – due to illness, an accident, or even a mental health crisis. Without the proper legal documents in place, HIPAA laws prevent healthcare providers from sharing any details with you, even though you are their parent. In financial matters, you may be unable to assist with banking, tuition issues, or apartment leases if your child isn't able to act for themselves. Worse yet, if your child is incapacitated for an extended period of time, without a power of attorney, you may have to petition the Orphans' Court for guardianship, to obtain the necessary legal authority to act on your child's behalf. This is an expensive process that could take months to complete, and in the meantime you may be completely shut out.

A Power of Attorney (POA) gives you the legal ability to step in if necessary. It's not about hovering or control—it's about being prepared.

The Two Documents to Consider

- 1. Healthcare Power of Attorney:** This document would allow you to speak with medical professionals and make healthcare decisions if your child is unable to do so for themselves.

- 2. Durable Financial Power of Attorney:** This document would allow you to manage your child's financial matters, including paying monthly expenses, accessing bank accounts, or handling school-related finances, if your child is incapacitated or needs help.

Having them in place doesn't mean you'll use them—but if something goes wrong, you (and your child) will be glad you have them ready to go.

A Simple Step for Peace of Mind

Getting a Power of Attorney isn't complicated, but it will require your child to be an active participant in the process. Most important is having the conversation with your child, and getting the paperwork done before your student heads off to school. College is a major milestone for both children and parents. Taking this legal step is a responsible, proactive move that ensures you are able to support your child, even from a distance, if they need you.

Don't wait for a crisis to realize you're powerless. A few signatures today can save a lot of heartache tomorrow.

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About the Author: [Leigh Segal](#) focuses her practice on implementing estate and tax planning strategies and estate administration, for individuals, families and businesses.

If you have any questions about this client alert, or your estate and business planning needs, please email lsegal@wispearl.com, or call 610-825-8400. *We look forward to hearing from you!*

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