



Your Legal Rights As A Stepparent: New Steps You Can Take

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On February 15, 1950, Disney released its animated version of Cinderella. Ever since, stepparents have been viewed as mean and ugly. But in the real world of 2009, where about 50% of marriages end in divorce, and about 1/3 of us live in stepfamilies, it's time to give stepparents a makeover.

Even though stepparents may provide emotional and financial support to their stepchildren, they have no legal rights with regard to them. They cannot authorize medical, dental, or surgical treatment, sign permission slips for school activities, or make any other decisions that would enhance the child's educational experience.

In some cases, the other biological parent is not even involved in the child's life. In other cases, the other biological parent may resent his or her ex-spouse's new husband or wife, and try to limit what the stepparent can do in the child's life. Nevertheless, it may not be in the child's best interest for the stepparent to have no legal rights regarding the health and education of a child in their home.

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A new caregiver authorization process was signed into law in January 14, 2009. New Massachusetts General Laws, Chapter 201F, pursuant to [Chapter 511 of the Acts of 2008](#), permits a parent or legal guardian to authorize another person, with whom the minor child resides, to exercise joint responsibilities over the education and health care of the child. The parent can specify any rights that he or she does not want to give to the caregiver. If the parent and the caregiver conflict over a decision, the parent's wishes are followed.

The new law will significantly reduce the need for guardianships of minors by providing a simpler way for parents to give authority to any adult who lives with their minor child, including grandparents and other caregivers. But for the thousands of stepparents who have been providing a loving home for their stepchildren, the new law is also a way to give these stepparents the legal rights they deserve. And more importantly, by clarifying and maximizing the legal rights of stepparents in appropriate circumstances, the new law may protect and enrich the lives of their stepchildren.

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