



INTENT TO BECOME PERMANENT MANAGING CONSERVATOR (PMC)

Purpose: Use this form to do the following:

- Document each caregiver’s intention about whether to become the permanent managing conservator for the child listed on the form.
- Inform each caregiver of the rights and duties of a permanent managing conservator.

Directions: The child’s caseworker gives this form to the child’s current caregiver (or caregivers) during a home visit. Each caregiver completes and signs the form, then returns it to the caseworker. If a caregiver has questions, he or she should ask the caseworker.

If the child has two caregivers and they do not have the same intention about whether to become the permanent managing conservator, each caregiver must complete a separate copy of this form.

DFPS is required to show the court that DFPS informed each caregiver of the rights and duties of a permanent managing conservator who is not the child’s parent before the court appoints the caregiver to that role. Therefore, the caseworker does the following:

- Submits this signed form to the court.
- Keeps a copy of the signed form in the child’s records.

CAREGIVER INFORMATION	
Full legal name of caregiver 1:	
Full legal name of caregiver 2 (if applicable):	

CHILD INFORMATION	
Child’s full legal name:	Child’s date of birth:
The primary permanency goal for this child is: <input type="checkbox"/> Permanent Managing Conservatorship to Relative or Fictive Kin (Close Family Friend) <input type="checkbox"/> Permanent Managing Conservatorship to Another Person	
Is this child part of a sibling group? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, mark the appropriate statement below: <input type="checkbox"/> The permanency plan is to place all of the siblings with the same caregiver (or caregivers). <input type="checkbox"/> The permanency plan is not to place all of the siblings with the same caregiver (or caregivers).	



RIGHTS AND DUTIES OF A MANAGING CONSERVATOR

The Texas Family Code lists the rights and duties of a managing conservator who is not the child's parent. A paraphrased description is below. The exact text of the law is available on the Texas Constitution and Statutes website (<https://statutes.capitol.texas.gov/>).

[Texas Family Code, Section 153.371: Rights and Duties of Nonparent Appointed as Sole Managing Conservator.](#)

A person who is not the child's parent, a licensed child-placing agency, or the Department of Family and Protective Services appointed as a managing conservator of the child has the following rights and duties (unless a law or court order limits these):

- The right to have physical possession of the child and to direct the child's moral and religious training;
- The duty to care for, control, protect, and reasonably discipline the child;
- The duty to provide the child with clothing, food, shelter, education, and medical, psychological, and dental care;
- The right to consent to medical, psychiatric, psychological, dental, and surgical treatment for the child and to have access to the child's medical records
- The right to receive payments for the support of the child, to acknowledge receipt of those payments, and to hold or spend money for the child's benefit.;
- The right to the child's services and earnings;
- The right to consent to the child's marriage and to the child's enlistment in the military;
- The right to represent the child in legal action and to make other important legal decisions concerning the child;
- The right to act as the child's agent in relation to the child's estate, if the government of a state, the United States, or a foreign country requires the child to do something (except when a court has appointed a guardian of the child's estate, a guardian ad litem, or an attorney ad litem);
- The right to decide where the child lives and to make decisions about the child's education;
- The right to consent to the adoption of the child and to make any other decision about the child that a parent could make (if the child has no legal parents who are living or if the parent-child relationship has been legally terminated); and
- The right to apply for, renew, and have possession of the child's passport.

See [Texas Family Code, Section 263.408: Requirements for Appointment of Nonparent as Managing Conservator](#) for more information.

- When the court appoints someone who is not a parent as managing conservator of a child, the Department of Family and Protective Services must explain the differences between being a managing conservator of a child and adopting a child, including informing the caregiver of the following:
 - When taking permanent managing conservatorship, the caregiver is not given the same rights he or she would receive if they adopted the child.
 - When a caregiver takes permanent managing conservatorship, they are only given the rights specified by the court order or applicable laws;
- The court may order that a parent is allowed to have visitation with the child at the time the case is closed and the caregiver takes conservatorship. In the future, the parent may request that the court order visitation with the child or ask the court to be named the child's managing conservator, despite the nonparent's appointment as managing conservator at the close of the case.
- Once the caregiver has been appointed as the permanent managing conservator of the child, the child will not be eligible to qualify for adoption assistance and post-adoption benefits.

A managing conservator who is not the child's parent has the authority to do the following:

- Give permission for the child to receive vaccines or any other medical treatment that requires parental consent.
- Get and maintain health insurance coverage for the child and car insurance coverage for the child, if appropriate.
- Enroll the child in day care or school, including prekindergarten.



- Give permission for the child to participate in school-related, extracurricular, or social activities, including athletic activities.
- Give permission for the child to get a learner's permit, driver license, or state ID card.
- Give permission for the child to get a job.
- Apply for and receive government benefits for the child or on the child's behalf.
- Get legal services for the child, and sign contracts and other legal documents for the child.

The court must require evidence that the nonparent was informed of the rights and duties of a managing conservator who is not a child's parent before appointing the nonparent as managing conservator of a child, as described in [Texas Family Code, Section 153.375 \(a\) and \(b\): Annual Report by Nonparent Managing Conservator](#).

A managing conservator who is not the child's parent is required to give the court an annual report about the child's welfare, including where the child is and how the child is doing physically. This report is due every 12 months after the person or agency becomes the child's managing conservator. No one may use this report as evidence if a legal proceeding about the child's welfare happens later.

Please complete the following. (Each caregiver who signs this form acknowledges the following statement.)

I acknowledge that I have read and understand the rights and duties of a managing conservator who is not the child's parent.

INTENT TO BECOME A PERMANENT MANAGING CONSERVATOR

Are you interested in becoming the permanent managing conservator of the child whose name appears on this form? (Each caregiver who signs this form agrees with the box that is marked below.)

Yes, I am interested in becoming the permanent managing conservator of this child, and I want DFPS to consider me for this role. By marking this box, I acknowledge the following:

- I currently intend to move forward with becoming the permanent managing conservator for this child.
- I will cooperate with the process for doing this, and I will help complete the process in a timely manner, to the best of my ability.
- I understand that marking this box does not automatically guarantee that I will become the child's permanent managing conservator.
- I understand that I have the right to change my mind about becoming the managing conservator at any time before the child's legal case becomes final. I will tell DFPS immediately if I change my mind. DFPS requests that I speak with the child's caseworker before changing my mind, because that decision could negatively affect the child.

No, I am not interested in becoming the permanent managing conservator of this child, and I do not want DFPS to consider me for this role at this time. By marking this box, I acknowledge the following:

- I understand that DFPS will begin looking for other permanent caregivers for this child.
- I understand that marking this box at this time does not necessarily mean that I am permanently barred from being considered as a permanent managing conservator for the child. I will tell DFPS immediately if I change my mind before the child's legal case becomes final. However, I understand that, if I change my mind, there is no guarantee that I will become the child's placement (caregiver) or permanent managing conservator.

If you marked Yes for the previous question, please mark below to confirm that the following steps have occurred. (This applies to each caregiver who signs this form.)

DFPS has told me about the Permanency Care Assistance (PCA) program and the eligibility criteria for receiving PCA benefits.

DFPS has given me a pamphlet about the differences between adoption and permanent managing conservatorship and has explained those differences to me.

DFPS has told me that I will not be eligible for Adoption Assistance benefits and Post Adoption Services for this child if I become the permanent managing conservator and later adopt this child through a private adoption.

PRIVACY STATEMENT

DFPS values your privacy. For more information, read our [Privacy and Security Policy](#).



SIGNATURES

For each current caregiver of the child:

By signing below, I acknowledge that this form shows my current intention about whether to move forward with becoming the permanent managing conservator (as described above) for this child.

Signature of Caregiver 1:

X

Date Signed:

Signature of Caregiver 2 (if applicable):

X

Date Signed:

For DFPS caseworker:

By signing below, I acknowledge the following:

- I am aware of the caregiver's (or caregivers') decision about permanent managing conservatorship.
- This form is complete and accurate, to the best of my knowledge.

Caseworker's Signature:

X

Date Signed: