

## State Laws Pertaining to Parents Releasing Minors' Claims

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Responding to a request at my presentation, "Your Participant Agreement – What's Going On Here", below is a snapshot survey of those states which do, and do not (and which haven't declared definitively on the topic) allow parents to sign pre-injury releases on behalf of their children.

The language of the cases and statutes which declare for or against such signing will vary, so you must discuss the situation in your state or states of operation with local counsel. Understand that what I have provided below is the result of only a quick survey. I am happy to answer further questions but ultimately the opinion of locally licensed counsel should be relied upon. I may have overlooked a case here or there, or misinterpreted a case or statute. And of course Courts can change their minds!

- 1) States whose higher courts or statutes appear to favor a parent signing for a child: AK, CA, CO, FLA (for only certain claims), MA, MINN, OH, WI.
- 2) States whose higher courts appear to disfavor such signings: IL, IN, ME, MICH, NJ, NY, PA, TN, TX, UT, WA, WVA,
- 3) States which do not allow releases of the type we were discussing, by parents or any other adult, for a child or otherwise: LA, MT, VA.
- 4) In the remaining states the question appears not to have been clearly decided.