

# POWER OF ATTORNEY

## Q&A

**WHEN DOES IT WORK?**

**Only when your heart is beating**

**WHAT MAKES IT DURABLE?**

**It is effective after you lose capacity**

**WHEN IS IT EFFECTIVE?**

**Now or when you lose capacity**

**HOW DO I REVOKE A POA?**

**You must sign a revocation form**

**IS MY BANK AT FAULT FOR GIVING \$ TO A REVOKED POA AGENT?**

**Only if you gave them a copy of the revocation form**

**WHAT IF I DON'T HAVE ONE?**

**Conservatorship through Probate Court -- expensive and time consuming**

**WHEN DO I NEED A POA?**

**Age 18 until death**

**WHEN CAN I SIGN ONE?**

**Age 18 until you are incapacitated**

**DOES IT NEED A NOTARY OR WITNESS?**

**1 notary, 1 witness. Neither can be an agent.**

**HOW MANY AGENTS DO I NEED?**

**1 to be valid, 3 is preferred**

**CAN AGENTS WORK TOGETHER AS CO-AGENTS?**

**Yes!**

**HOW MANY CO-AGENTS CAN I HAVE?**

**Unlimited, but we recommend 2 co-agents, max**

**WHO SHOULD BE AGENT?**

**Someone good at math and paying bills on time**

**WHO SHOULD NOT BE AGENT?**

**Someone not competent (i.e. struggling with an addiction)**

**SHOULD I NAME MY KIDS IN BIRTH ORDER?**

**No. List those with the skills needed**

**NO KIDS. WHO SHOULD BE MY AGENT?**

**Spouse, siblings, professionals, etc.**

**WHAT KIND OF PROFESSIONAL?**

**CPA, attorney, bookkeeper, nurse, etc.**

**CAN MY AGENT DO WHATEVER THEY WANT?**

**No, they must do what you would do if you could**

**WHAT EXPANDED POWERS SHOULD I GIVE MY AGENT?**

**It depends on how much you trust them to do what is in your best interest**

**DO I NEED THE ORIGINAL OR WILL A COPY WORK?**

**A copy may suffice only when the original has already been scanned by the receiving company**

**HOW OFTEN SHOULD I UPDATE IT?**

**Every five years, with an attorney's assistance**