

What is a Power of Attorney?

What if you get injured and become mentally incapable of making decisions for yourself?

What if you've grown too old to walk to the bank, or write the rent cheque?

A Power of Attorney (POA) is a legal document that gives someone else the right to act on your behalf and make decisions for you in the event you are no longer able to.

There are two basic types of Power of Attorney, the first being a POA for property and often informally called a financial POA, and the second is a POA for personal care.

Power of Attorney for Property

The Power of Attorney for Property is a document where you appoint one (or more than one) person to look after your financial affairs. The decision on who the powers go to, and exactly how much authority they have, is up to you. However, you should exercise caution in appointing someone as having POA, as the potential for misuse is great because they can act on your behalf.

Power of Attorney for Personal Care

Often called a "living will" this document allows you to give the authority to make decisions about your personal care, including medical decisions, to another person (or more than one person).

These documents outline exactly what kind of treatment you would expect to receive under certain types of circumstances. Instructions for the removal of life support in the case of a catastrophic injury are common, as are directives for those dealing with degenerative mental conditions, such as Alzheimer's Disease or dementia where the ability to manage one's care erodes with the progression of the disease or condition.

An important document

When considering granting a Power of Attorney, there are many important considerations and it's important to consult with a lawyer in advance, given the potential for misuse of the power and the consequences to both your financial and physical well-being. The lawyers of Kelly Manthorp Heaphy are ready to assist you in preparing any Power of Attorney document.