

## Power Of Attorney

A power of attorney (“POA”) is a transcribed authorization to represent or act on another's behalf in private affairs, business or other legal matters. The person authorizing the other to act is the principal, grantor or donor (of the power).

There Are Several Types of Power of Attorneys:

1. **Continuing Power of Attorney (for Property):** Provides your chosen representative(s), the capacity to act on your behalf and make decisions in regard to your property (including financial affairs) in case of your mental incapacity.
2. **Power of Attorney for Personal Care:** Provides your chosen representative(s), the capacity to make decisions in regard to your health care and location of residence in case of sickness or mentally incapacity preventing the ability of making such decisions.
3. **A General Power of Attorney:** Provides your chosen representative(s), the capacity to act on your behalf and make decisions about your property, in case of sickness or mentally incapacity. The document stipulates level, limitations and amount of authority provided to your representative on your behalf by making the POA specific for a particular purpose (i.e. buying or selling a home).

## Estate Planning

Similar to Wills, we recommend that you have the Continuing Power of Attorney and Power of Attorney for Personal Care in place. Ensure that you have a trust worthy and capable person(s) making decisions for your property and personal care in case you are incapable of making such decisions.

## The Power of Attorney process

Typically, our team prepares the POAs congruently with a Will. DKS Law would provide you with a Power of Attorney questionnaire for you to complete (return via fax/e-mail). Below are frequent questions which appear on the questionnaire:

### Power of Attorney for Personal Care:

1. Who is the person selected as your Attorney?
2. Who will be your alternate Attorney (in the event your primary representative is not able to or willing to make a decision)?

3. Would it be your choice to be kept alive by artificial means (i.e. life support)? More specifically, if your medical practitioner(s) determined no reasonable expectation of either a substantial recovery or improvement in quality of life (as a result of the injuries/disability), would you choose to be kept alive by medications, artificial means or other heroic measures?

**Continuing Power of Attorney:**

1. Who is the person selected as your Attorney?
2. Who will be your alternate Attorney (in the event your primary representative is not able to or willing to make a decision)?

Upon the completion and return of the questionnaire (fax/e-mail), DKS Law will prepare the Power of Attorneys (and/or Will) and arrange a meeting to sign such documents. Our team will review the document(s) thoroughly at such meeting prior to your signing.

