

What Does Giving Power of Attorney Away Entail?

As common as powers of attorney can be, what they are and are not is something that is not usually shared with the general public, even in post-secondary education. There are many times in life when you may not be physically able to make a decision and would like for someone to be able to in your place. These times could include being away from home, long term, for work and need you someone to manage your affairs, being injured (or needing surgery) and needing someone else to handle your medical care. [Giving another person the authority to make decisions and execute on your behalf](#) is referred to as granting a power of attorney.

How to grant power of attorney. Generally speaking, the most frequent uses for powers of attorney (medical and financial needs) have been made into templates using a fill-in-the-blank method to personalize them as necessary. Often, it is as simple as filling out the form that you need for your situation, having the form notarized, and the person receiving the power of attorney holding an original copy for use as needed. Depending on the jurisdiction of the execution of the power of attorney, it may be necessary to file the notarized form with the county clerk. It

[Medical power of attorney](#). If you are unable to make decisions on your health care for some reason, usually an accident, this is the type of power of attorney needed. Not to be confused with a living will, which only grants end-of-life decision authority, this will allow someone to make your decisions should you only be in a temporary state of need. An example of this would be if you are in an auto accident and are unconscious as a result of the injuries. A medical power of attorney would grant someone the authority to discuss your health care with the emergency physicians and to make decisions that the emergency care staff would not otherwise be able to make with your personal interests considered.

[Financial power of attorney](#). Should you be unable to make decisions regarding your finances for some reason, such as being away for work (especially, military service), this is the type of power of attorney to use. Only a parent of a minor has an automatic authority to make decisions. Even spouses and next-of-kin may have to petition a court for authority over some issues of your financial affairs. Often, this need would arise should you be away from home for work while needing to sell your house. If your name is on the deed, even your spouse would not be able to finalize the transaction without your grant of authority. A power of attorney is also an excellent authority should there be a dispute among relatives over who should be in charge of your decisions as the power of attorney settles that.

Certain circumstances, such as a stroke, may warrant the use of multiple powers of attorney. Though total recovery is possible, particularly if the stroke was minor, even a period of just a few months can damage your accounts if nobody is taking care of them for you while you are recovering, even if someone is making your medical decisions. The medical power of attorney will not grant the person any authority to manage your other usual expenses or bank accounts. A lot of times, it can help to give the same person the multiple powers of attorney, but you are free to give different individuals different powers of attorney.

Power of attorney limits. Unfortunately, powers of attorney are limited to only their exact use, and no more in any capacity. For example, a medical power of attorney can grant only immediate health care decisions, but not end-of-life authority as that is the specific use of a living will and end-of-life is not considered immediate health care. Also, powers of attorney do not survive the death of the grantor. So, a fatal accident would not allow someone with a financial power of attorney to continue with the sale of property as that property would now be in probate.