



POWER OF ATTORNEY

Protecting your Health, Finances,
& Future

By: Stephanie Bijos MS4
Ross University School of Medicine

WHAT IS A POWER OF ATTORNEY?

- **Definition:** A legal document that allows someone you trust (your agent) to act on your behalf in specific matters.
- **Principal:** The person granting the power.
- **Agent:** The trusted individual given the authority.

WHY IS A POWER OF ATTORNEY IMPORTANT?

- Ensures your wishes are respected when you cannot make decisions.
- Protects your financial and healthcare needs.
- Avoids family conflicts and legal battles.
- Prevents delays in decision-making during emergencies.

TYPES OF POWER OF ATTORNEY

- **Healthcare POA:** Authorizes someone to make medical decisions if you're incapacitated.
- *Example:* Choosing treatments, surgeries, or end-of-life care.
- **Financial POA:** Authorizes someone to manage financial matters.
- *Example:* Paying bills, managing investments, filing taxes.
- **Durable POA:** Stays in effect if you lose decision-making capacity.
- **Limited POA:** Grants authority for specific tasks or a limited time.
- *Example:* Handling the sale of a property.
- **General POA:** Broad authority over all matters.

BENEFITS VS. CONSEQUENCES OF A POA

BENEFITS:

- ❖ **Control:** You decide who manages your affairs.
- ❖ **Peace of Mind:** Reduces stress for you and your loved ones.
- ❖ **Efficiency:** Allows smooth handling of medical or financial matters in emergencies.
- ❖ **Avoids Court Intervention:** Prevents costly and time-consuming guardianship or conservatorship processes.

CONSEQUENCES:

- ❖ No one can legally make decisions for you without court approval.
- ❖ Delays in accessing financial accounts or handling bills.
- ❖ Family conflicts over who should take responsibility.
- ❖ Courts may appoint a guardian who may not align with your wishes.

HOW TO CREATE A POA?

Steps to Take:

1. Choose a trusted agent.
 2. Decide the scope of their authority (specific or general).
 3. Consult an attorney or use state-specific legal forms.
 4. Sign and notarize the document (if required by state law).
- Encourage updating the POA periodically to reflect life changes.

FREQUENTLY ASKED QUESTIONS

- Does a POA give someone control over everything?
- No, you decide the scope of authority.
- Can I revoke a POA?
- Yes, as long as you're mentally competent.
- Is a POA valid in all states?
- Laws vary, so consult local regulations.

IMPORTANT CONSIDERATIONS & RESOURCES FOR FLORIDA

- **1. Legal Aid Services:**
- **Legal Aid Service of Broward County:** Offers free legal assistance to eligible individuals in Broward County, including help with POA documents.
 - Website: <https://www.browardlegalaid.org/>
 - Phone: (954) 765-8950
- **Coast to Coast Legal Aid of South Florida:** Provides legal services to seniors and low-income residents in South Florida.
 - Website: <https://www.coasttocoastlegalaid.org/>
 - Phone: (954) 736-2400
- **2. The Florida Bar:**
- The Florida Bar offers a consumer pamphlet detailing the specifics of POA in Florida, including execution requirements and the roles of the principal and agent.
- [The Florida Bar](#)
- **3. Florida Courts Help:**
- Provides legal educational materials, sample forms, and information about the courts, community resources, and free and low-cost legal aid programs.
- [Florida Courts Help](#)
- **4. Elder Law Attorneys:**
- Consulting with an elder law attorney can provide personalized assistance in drafting a POA that meets Florida's legal requirements. The Florida Bar's Lawyer Referral Service can help you find a qualified attorney in your area.
- Website: <https://lrs.floridabar.org/>
- Phone: 1-800-342-8011
- **In Florida, a POA must be signed by the principal, two witnesses, and acknowledged by a notary public to be valid.**