



## UNDERSTANDING YOUR POWER OF ATTORNEY

1. It is important that you understand the meaning and effect of your Power of Attorney. A Power of Attorney is one of the strongest legal documents that an individual can give to another person. With a Power of Attorney, you authorize another person to act on your behalf as your agent. The acts which your agent can accomplish depends on the amount of authority you grant your agent.

a. With a General Power of Attorney, you authorize your agent to accomplish any act on your behalf. For example, with a General Power of Attorney, your agent can sell your home, withdraw money from bank accounts, borrow money in your name, and sign contracts without consulting you first. You must remember, however, that these are only examples, and your agent may be able to accomplish other acts with the General Power of Attorney.

(1) **WARNING:** Because of the broad grant of authority, the General Power of Attorney is the most dangerous Power of Attorney available. When at all possible, you should specify the acts which you want your agent to accomplish in a Special Power of Attorney.

(2) You should also be aware that a General Power of Attorney does not force any person or institution to deal with your agent. In fact, many institutions require a Special Power of Attorney, if they choose to deal with you through your agent at all. For example, many real estate agencies require a Special Power of Attorney with a specific description of the real estate before your agent can buy or sell property.

b. With a Special Power of Attorney, you authorize your agent to act in matters specifically stated in the Special Power of Attorney. For example, you can make a Special Power of Attorney to authorize your agent to pick-up or receive your household goods shipment.

(1) **WARNING:** Although "safer" than a General Power of Attorney, a Special Power of Attorney still exposes you to substantial risk. For example, if you specifically authorize your agent to only manage a bank account for you, your agent could still withdraw all of your money without your prior consent.

(2) As with a General Power of Attorney, a Special Power of Attorney does not force a person or entity to deal with you through your agent.

2. The requirements for any power of attorney is that the grantor sign the power of attorney in front of a notary. Because of the substantial risks involved in granting a power of attorney, a notary is required to prevent forgery. Furthermore, your agent must have the original Power of Attorney in his possession when dealing with third parties.

3. Active duty servicemembers, retirees, civilians employed by or contracted by the U.S. Government, and their family members, can have their powers of attorney prepared and notarized at the legal assistance office, building 4305, room 202 on a walk-in basis. As an alternative, a unit's adjutant can also notarize a power of attorney.

4. Persons not entitled to legal assistance can go to the U.S. Embassy to have their power of attorney notarized.

5. A Power of Attorney can only be revoked by either sending your agent a Revocation of Power of Attorney or by destroying the original document. A Revocation can be obtained from the Legal Assistance Office. Preferably, the Power of Attorney should be destroyed.

6. Powers of Attorney for real estate must be recorded to be effective. If you have any questions regarding this requirement, you should contact the real estate agent handling the sale of your property.

REMARKS: