

Power of Attorney Additional Information

You have finished creating your Power of Attorney. What's next?



Review the Document

Your Power of Attorney is an important document. Before you sign your Power of Attorney, you should look over the document to ensure that you understand and agree with the powers you have given to your Agent/Attorney-in-Fact.



Speak to your Agent/Attorney-in-Fact

It is important to speak with the person(s) that you have given authority to in order to make sure that they understand the breadth and limits of their ability to act on your behalf.



Sign your Power of Attorney

You will need to check your document to determine if you need to sign in front of a witness or witnesses, or a notary public. In the presence of any required witnesses and, if applicable, a notary public, you must sign on the signature page, initial each page of the document, and initial each power you have decided to grant. If your document requires a witness or witnesses, they must also sign on the signature page, initial each page of the document, and fill out any included "Witness Certificates", in front of you and, if required, the notary public. The notary will then acknowledge and sign the document.

If your state requires the Agent/Attorney-in-Fact to acknowledge their acceptance of the document, you will see a section for their signature in the document.

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Storing or Recording your Power of Attorney

If you have granted the power to act on your behalf in Real Estate transactions, your Agent/Attorney-in-Fact will likely need to have the document recorded in order for the Power of Attorney to be recognized. This typically takes place at the land registry office in the jurisdiction where the property is located. Otherwise, you should store your original document in a safe place and provide a copy for your Agent/Attorney-in-Fact so that they will be able to use the powers you have granted them.

Additional Tips

- Remember that your witnesses cannot be your spouse, partner, child, Agent/Attorney-in-Fact (including alternate choices) or their spouse. Some jurisdictions also disallow witnesses that are mentioned in your Last Will, either as a beneficiary or executor.
- Your witnesses must be of legal age in your jurisdiction, have capacity, and be mentally capable of managing their property and making their own decisions.
- Residents of North Carolina and South Carolina must register their Power of Attorney if it is intended to be Durable (will continue in the case of the grantor's incapacity) in order for it to remain valid past the point of the grantor's incapacity. The Durable Power of Attorney will need to be recorded in the office of the Register of Deeds of the county in which the principal has his or her legal residence at the time of registration.

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Complete your Estate Plan

You need more than a Power of Attorney to fully manage and protect your estate. A good estate plan also includes a Last Will and Testament, Living Will, and in some cases, a Living Trust. All these documents, along with explanatory help, are available for free at [LawDepot](#).



Related Documents

The following are documents that you may find useful as you finish building your estate plan:

- **Gift Deed**
Transfer ownership of real estate, personal property, or intellectual property without receiving anything of value in return.
<http://www.lawdepot.com/contracts/gift-deed/>
- **Bill of Sale**
Transfer ownership of personal property.
<http://www.lawdepot.com/contracts/bill-of-sale/>
- **Last Will and Testament**
Manage your estate and provide instructions for the distribution of your property at death.
<http://www.lawdepot.com/contracts/last-will-and-testament-usa/>
- **Revocable Living Trust**
An estate planning document that allows you to place your assets in a trust so that they can be distributed according to your wishes upon your passing.
<http://www.lawdepot.com/contracts/living-trust/>
- **Living Will (Health Care Directive)**
Indicate your medical wishes in case you become incapacitated or otherwise unable to consent to your health care treatment.
<http://www.lawdepot.com/contracts/living-will-medical-power-of-attorney/>

Know someone who could use free legal resources?

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