

Power of Attorney

A Power of Attorney (POA) is a legal document that lets someone you choose (called your Agent) make choices for you. Your Agent can have a lot of power or just a little, depending on what you decide the document says. A POA allows you to give someone you trust the right to make choices for you.

General Power of Attorney

A general Power of Attorney gives your Agent a lot of power. They can do many things for you, like handle your money, buy life insurance, or hire help. This type of POA is good if you can't take care of things yourself.

A general Power of Attorney ends if:

- You become unable to make decisions or die
- You take it back
- A court says it's not valid
- Something happens to your Agent



Durable Power of Attorney

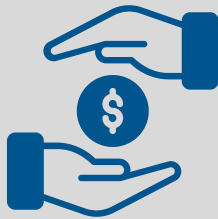
A durable Power of Attorney is a POA that keeps working even if you get hurt or sick and can't make decisions. This is because it has a special durability clause. A durable POA stays in effect until you cancel it or until you pass away. It can also end if a court says it is not valid.

A **general Power of Attorney ends** if you become unable to make decisions. A **durable Power of Attorney does not end** if you become unable to make decisions. A durable POA stays in effect even if you are incapacitated.

The type of POA you need depends on what you want. You may want a general POA or a durable POA. It is important to know what kind of power you want to give your Agent. You should also talk to your Agent about your wants and needs.

Durable POAs are used to plan for emergencies or if you lose mental ability. There are two main types of durable POAs:

A Financial Power of Attorney lets your Agent manage your money.



A Healthcare Power of Attorney lets your Agent make healthcare choices for you.



How to Create a Power of Attorney

There are a few rules for making a Power of Attorney. Your POA must be written and signed by you. Two witnesses must watch you sign it, and it also needs to be signed by a notary who sees the witnesses sign it. A witness is an adult who sees you sign the POA. They could be your friend, neighbor, or even a stranger. You can find a notary near you through the Secretary of State's website (see Resources below).

If you have questions about the law, talk to a lawyer.
You may also want to work with a lawyer to create your POA.

You should give a copy of your POA to your Agent. You may also want to give a copy to the county register of deeds office in North Carolina. A durable POA must be given to the county register of deeds where it will be used.

Resources

You can read about the difference between Durable and General (Regular) POA at the [Legal Zoom](#) website.

You can download the [Durable Power of Attorney form](#).

You can download the [General \(Regular\) Power of Attorney form](#).

You may find a notary near you in North Carolina on the [Secretary of State](#) website. There is usually a small fee for a notary (less than \$10).

Get Started with Durable/General Power of Attorney

Step 1. Choose who you would like to be your Agent(s) and talk to them.

Step 2. Decide if you would like a Durable or a General (Regular) POA.

Step 3. Fill out the Durable or General (Regular) POA form (see Resources, above).

Step 4. Find a Notary. You can find a Notary at your bank, UPS Stores, public libraries, real estate agencies, law firms, or at the Secretary of State website (see Resources, above).

Step 5. Sign the document in front of two witnesses plus the notary.

Step 6. Give a copy of your signed, notarized document to your Agent(s).

Step 7. File a copy of your signed, notarized document with your County Register of Deeds.