

POWER OF ATTORNEY CHECKLIST 2018

A Power of Attorney is a very powerful document. Recent changes to the BC legislation require all individuals who contemplate giving a Power of Attorney to provide detailed instructions to the lawyer regarding the extent and/or restrictions in the Power of Attorney.

There are onerous duties imposed on an Attorney, which include:

A duty to keep detailed and accurate accounting records

A duty to act in accordance with the wishes and beliefs of the adult

A duty to consider property passing by the adult's Will and an obligation to preserve property to the extent that is reasonable and in consideration of actual and potential beneficiaries.

A duty to keep assets separate from the adult

In order to properly advise you, it is important that you provide me with the following information:

Your full legal name and address

Full name and address of proposed attorney

Relationship to you of proposed attorney

Property

Owned Jointly

Individually

Real Estate
Address

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Bank accounts

Other substantial assets

Dependents

Married common law

Name of Spouse/Partner

Adult children

Name	Address
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Grandchildren

Name	Address
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Power of Attorney

Can your attorney do anything you can do on your
behalf in respect of all your legal and financial affairs YES

NO

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What are your specific instructions?

Do you want any limitations on your Attorney's powers?

If yes, please state:

Do you want the Attorney to deal with your real estate: YES NO

Do you want your attorney to act while you are still capable: YES NO

If not, who would decide you are incapable:

Do you want your attorney to have general powers or specific powers?

YES NO

If yes, specify:

Do you want your attorney to be paid a reasonable fee: YES NO

If yes, how much flat fee or %

Do you want your attorney to make:

A gift YES NO

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A loan YES NO

A charitable gift YES NO

Can your attorney invest in property other than what the *Trustee Act* states

YES NO

Is there a period when you want your Attorney to be suspended:

YES NO

If yes, specify

Have you separated from your spouse, common law spouse or same sex partner in the past 90 days

YES NO

If yes, specify

Do you want your Power of Attorney to continue if your legal status changes:

YES NO

Signature:

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