

**DURABLE POWERS OF ATTORNEY FOR FINANCES
AND
ADVANCE HEALTHCARE DIRECTIVES**

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1. Power of Attorney for Finances (DPOA)

- What is it?
- Do you need a Power of Attorney?
- Compared to a Trust or Will
- Durable vs. Non-Durable
- General vs. Limited
- Immediate vs. Springing
- Powers granted to agent

2. Power of Attorney Forms

- Pre-printed
- CA Statutory
- Attorney Drafted
- Financial Institution Form

3. Selecting an Attorney in Fact/Agent on DPOA

- Family Member
- Friend
- Professional Advisor
- Professional Fiduciary
- Factors: availability, geographic location, does the person serve in other roles such as trustee or agent on the AHCD
- Successor Agents

4. Other DPOA Issues

- Execution - notarization or two witnesses

- Whether to record?
- Financial Institution Acceptance
- Revocation – Must be in writing – Notice to Third Parties
- Nomination of Conservator

5. Advance Healthcare Directive (AHCD)

- Purpose and Considerations
- Appoint an Agent
- End of life decisions
- Organ Donation
- Burial Instructions

6. Selecting an Agent on an AHCD

- Family member
- Professional Fiduciary
- Factors: availability and geographic location, religious beliefs, medical knowledge.

7. AHCD Forms

- Statutory Form
- Attorney Drafted
- Execution – Notarization or two witnesses – Ombudsman must also witness if in a skilled nursing facility.

8. Other AHCD Issues

- Talk to your agent about your wishes
- POLST form – Physician Orders for Life Sustaining Treatment – Signed by Physician, Nurse Practitioner or Physician Assistant
- DNR

9. General Issues Relating to both DPOA's and AHCD's

- Who to notify?
- Who to give copies to?
- Should the agents on both forms be the same person?
- How often should you review or update these forms?
- Conservatorships