

# POWER OF ATTORNEY FOR PROPERTY



Center for Disability  
& Elder Law

## Instructions

You made your **Power of Attorney for Property**. Here's what to do next:

### STEP 1 - Review and Initial Your Forms

Review your choices. Make sure names, phone numbers, and addresses are correct. Print your forms. On the second page, write your initials (not your signature) in the bottom right corner. Do not sign yet.

### STEP 2 - Sign with Notary and Witnesses

Sign and date Paragraph 11 of the form **in front of a notary and at least one witness**.

Your witnesses must also sign in front of the notary. Illinois only requires you to have one witness. However, having two witnesses can help ensure your Power of Attorney is followed everywhere.

### STEP 3 - Make Copies

Give one copy to your agent and keep one for yourself. Keep the original in a safe place. Make sure your agent knows where the original is. If your agent will need it soon, you can give them the original copy.

### STEP 4 - Share It

Give copies to people and places your agent may need to work with, such as:

- Your bank
- Your landlord
- Social Security or other benefits offices

#### Who can be a witness?

Someone 18 or older, such as:

- A neighbor
- Someone from your community (like your church or senior center)
- A bank teller or other staff at the notary location (not the notary themselves)

#### Who cannot be a witness?

- Your doctor
- Your family member
- Your agent or successor (back up) agent
- Your agent or successor agent's family member
- Anyone who helped make this document

### Using the Power of Attorney

If you lose the ability to manage your money or property, your agent can use the Power of Attorney to act for you. Your agent will need to show the original Power of Attorney for Property the first time they use it.

A company or service provider make ask your agent to sign a short form called "**Agent's Certification and Acceptance of Authority**."

They should keep a few blank copies of this form just in case.

If your agent signs any contracts or other documents for you, they can either:

- Sign your name or
- Sign your name plus a note showing it was signed by your agent. For example: "Penny Principal, by her agent Annie Agent"

### OPTIONAL - Agent Signature Page

You can ask your agent and backup agents to sign the "Specimen Signature" page.

You can sign next to their names to confirm them. This is optional, but it helps others trust your agent's identity.

#### Where can I find a notary?

- Search online for notaries in your zip code. Common places:
  - Banks
  - UPS stores
  - Libraries

\*If you change anything on the printed form, write your initials next to the change. Or, use this program again to make a new one and follow the same steps.

### Learn more about your Power of Attorney for Property (and Finances) at:

<https://www.illinoislegalaid.org/legal-information/setting-power-attorney-property>



# POWER OF PLANNING: WHAT YOU NEED TO KNOW

## Power of Attorney for Health Care (POA-HC)

- Lets you name someone you trust to make medical decisions if you can't.
- Can be used in hospitals, doctor's offices, nursing homes, or during emergencies.
- Your agent can accept or refuse treatments, choose providers, and speak with your care team.

## Other Important Planning Tools

These can also help you make your wishes clear:

- **Living Will Declaration:** States you don't want life-support if recovery is unlikely.
- **POLST:** A medical order with your doctor about life-sustaining treatment.
- **"This Is Me" Guide:** A personal guide about what matters to you.
- **Mental Health Declaration:** Lists your treatment preferences in a mental health crisis.
- **TODI (Transfer on Death Instrument):** Lets you name who inherits your home or car directly.
- **Last Will & Testament:** Distributes belongings and property after death.
- **POD (Payable on Death):** Names who inherits money in bank accounts.
- **Beneficiary Affidavit:** Name who gets your vehicle with the Secretary of State

## Power of Attorney for Property (and Finances) (POA-P)

- Lets you name someone to help with money, bills, housing, and benefits.
- Can be used at banks, government offices, with landlords, or when signing financial documents.
- Your agent must keep records and act in your best interest.

## Starting the Conversation

It's not always easy to talk about planning ahead. Here are some gentle ways to begin:

- **Ask a question:** "Have you heard about Powers of Attorney? Have you ever thought about who would help you if you couldn't make your own decisions?"
- **Connect to their life:** "You've worked so hard. This is about protecting your wishes and your things."
- **Share your own story:** "I just made mine. It gave me peace of mind. Want to see how it works?"
- **Be patient:** One conversation may not be enough. Give time and space to think.

**Remember:** Planning ahead protects your choices, eases stress for loved ones, and helps avoid costly court processes.