

## Power of Attorney: Putting the **right person** in charge

People often arrange their financial affairs for retirement and death, but seldom consider administrative requirements should they become temporarily or permanently incapacitated. By appointing a power of attorney, you allow someone you trust to manage your property (e.g., home) and/or your personal care (e.g., medical treatment) if you become unable to act, due to illness or disability.

Without a power of attorney, if you become incompetent, the government may appoint a public trustee to manage your financial and personal affairs. Chances are this person may not be the best person to assume the responsibility.

### The power of attorney should:

- Act with honesty and integrity and in good faith, for your benefit.
- Choose the least restrictive, least intrusive, and most appropriate course of action available.
- Encourage you to participate, to the best of your abilities, in decisions about your property and personal care.
- Foster regular personal contact between you and those family members/friends who support you.
- Consult from time to time with supportive family and friends, and with those providing for your personal care.
- Follow the instructions and wishes you made when you were capable.

### When selecting a power of attorney for your property / personal care:

- Does he/she **know** you well enough to make property and/or personal decisions on your behalf.
- Do you **trust** this person to accept the responsibility and follow your instructions and wishes even if he/she may disagree with what you want?
- **Discuss** your choice with your family, lawyer or physician.
- Be sure to **review** your choice annually.

### Talk to the person you wish to appoint as power of attorney

- **Ask** that person if he/she is willing to be your attorney
- **Inform** them of their responsibilities.
- **Discuss** your reasons for selecting an attorney.
- **Discuss** your instructions and how you want them carried out.

Many provinces have made or are in the process of making changes to regulations regarding an attorney. Your lawyer or legal advisor can assist you in the preparation of a power of attorney.

***Don't leave your future to chance.***