

12. CUSTOM POA:

Grantee's full name

Grantee's address

Expiration date (max. 1 year)

Write description of purpose for POA above.

If you do not want a SPOA, and instead want to obtain a General POA (GPOA) without speaking with a lawyer, complete No. 13 below and the initial and signature blocks on pages 5, 6, and 7 of this Power of Attorney Worksheet.

13. GENERAL POA: Generally, merchants are not required to accept any POA. As such, your grantee may not always be able to conduct business on your behalf.

Grantee's full name

Grantee's address

Expiration date (max. 1 year)

Is Agent your Spouse? Yes No

List ONE state in which your grantee will primarily use the POA. Alternatively, list your state of permanent residence.

Your Signature: _____ **Date:** _____

END OF SPECIAL POWER OF ATTORNEY (SPOA) REQUEST FORM

UNDERSTANDING YOUR POWER OF ATTORNEY

1. Definition. A Power of Attorney (POA) is a notarized document that grants another person the power to act on your behalf for a certain purpose and timeframe. The person granting the power is the “grantor” or “principle.” The person receiving the power is the “grantee”, “agent”, or “attorney-in-fact”. All grantees/agents must be at least 18 years of age.

2. Risks Involved. Authorizing another person to act on your behalf involves inherent risks you must understand. Namely, you will be legally bound to the actions your grantee/agent takes. So, it is crucial to reduce the risks of accidental or intentional misuse.

a. Special Power of Attorney (SPOA). It is recommended that you only grant powers as needed and avoid granting powers for tasks you can accomplish yourself. Also, limit the scope of the power. You can limit the scope by granting a Special (or “limited”) Power of Attorney (SPOA) that only grants power for a limited purpose and a limited timeframe. SPOAs are the least risky because they limit the powers you grant your grantee/agent and they automatically expire after one year. As grantor, you may set an earlier expiration date, if needed. Finally, only grant powers to a grantee/agent you fully trust to accomplish the mission and immediately revoke powers from anyone you may no longer trust.

b. General Power of Attorney (GPOA). On the other hand, a General Power of Attorney (GPOA), while sometimes helpful, can also be dangerous. A GPOA grants someone else the legal authority to do almost anything you could do. Consequently, potential for accidental or intentional misuse can be high. For example, with a GPOA, your grantee/agent can possibly sell your car, borrow money that you must repay, rent or purchase property in your name and with your money, or even remove all funds from your bank account.

3. Important Considerations Before Granting/Using POA. Powers of Attorney drafted by Navy legal assistance offices are limited in duration to no longer than one year and should only be drafted for the amount of time needed. No individual, business, or organization is legally obligated to accept a POA (even a military POA), regardless of the POA’s legality or validity. In some cases, certain businesses (*i.e.*, banks and other financial institutions) will only accept a SPOA to fulfill specific standards and requirements. Many institutions have their own POA form. It is important to ensure your POA meets the specific standards of those with whom your grantee/agent will do business. Finally, your grantee/agent must have the original POA. You should keep a copy for your records.

4. Revocation/Cancellation of Your POA. If you want to revoke, cancel, or terminate a POA before it expires, you must sign and notarize a Revocation of Power of Attorney and provide a copy to any person you believe has dealt with or will possibly deal with your grantee/agent. Because it is difficult, if not impossible, to provide a copy of the revocation to every possible third party who has relied upon or might rely upon the previously granted POA, the difficulty of revocation is one of the inherent dangers in granting a POA. In addition to providing a copy of the revocation to all foreseeable parties with whom your grantee/agent has dealt, the following steps are also recommended for your protection:

- Send a true copy of the revocation to the original grantee/agent and using a delivery method that provides a receipt showing proof that the grantee/agent received the revocation (*e.g.*, certified mail with return receipt requested);
- Record a revocation in the counties where the POA was executed, where your grantee/agent resides, and where the POA may be used;
- Publish notice in the newspapers in the same counties as above where you revoked your POA.

I acknowledge that I read the above information. Please prepare the requested legal document(s) for me using the information provided on the Power of Attorney request form.

Print name

Sign

Date

**REQUEST FOR GENERAL POWER OF ATTORNEY
AND WAIVER OF ATTORNEY CONSULTATION**

Individuals granting a General Power of Attorney without first consulting an attorney must initial next to the numbers and sign below.

1. _____ I understand that I may personally consult with an attorney regarding my interest in granting Power of Attorney (POA), but I knowingly and intelligently waive, or decline, to engage in such consultation for granting authority under a General POA.

2. _____ In lieu of attorney consultation, I personally viewed the OJAG Code 16 video “Powers of Attorney: Reasons, Risks, and Resources” online at:

www.jag.navy.mil or www.youtube.com
(check one)

3. _____ I understand there is risk involved in granting another person a general rather than a specific and limited POA to act on my behalf in cases involving my finances and personal or real property.

My signature below indicates that I wish to grant Power of Attorney to the grantee listed below without attorney consultation.

Grantor’s full name Grantor’s address Grantor’s signature Date

Grantee’s/Agent’s full name Grantee’s/Agent’s address Grantee’s/Agent’s phone number