

SafeGuard Tips

- Have a professional draft the document
- Assign co-agents
- Require third party review
- Limit the powers

When to Report Abuse

Report suspected abuses when you have reasonable cause to believe that an incapacitated person has been exploited.

ANYONE can make a report of Abuse, Neglect, or Exploitation

The report may be made by oral or written communication.

Adult Protective Services (APS)
1-866-55AGING (1-866-522-4464)
<http://aging.dhs.georgia.gov/adult-protective-services>

Healthcare Facility Regulation (HFR)
1-800-878-6442
<http://dch.georgia.gov/find-facilityfile-complaint>

Conyers Police Department
770-483-6600

**Always Call 911
For Life - Threatening
Emergencies**



What Is a Power of Attorney?

Who should have a Power of Attorney?

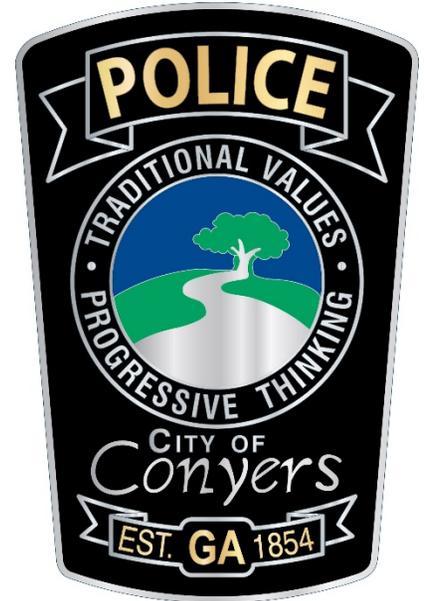
What are the benefits & pitfalls of a Power of Attorney?

This pamphlet is a quick reference, layman's guide to answer these questions.

Please seek professional legal services to discuss this topic more and to address your Power of Attorney needs.

**WHAT YOU NEED
TO KNOW ABOUT**

*Power of
Attorney*



Information about the benefits and potential dangers of a Power of Attorney

Provided by:

*Conyers Police Department
Chief Gene Wilson*

What is a Power of Attorney?

A Power of Attorney (POA) is a document that allows the appointment of a person or an organization, usually called an “agent”, to manage your affairs if you become unable to do so.

Who needs a Power of Attorney?

Anyone wanting to plan ahead in the event that they become disabled or are unable to handle their own private affairs, business, or legal matters due to medical incapacity, physical absence, mental incompetence.

What are the Different Types of a Power of Attorney?

General

A general power of attorney grants broad powers to an agent(s) to act on your behalf in multiple areas of your life. These types of POA are limited in authority whereby mental incapacity may affect its effectiveness.

Special

Specifically sets what powers an agent may exercise or specifically defines or limits what an agent can oversee.

Healthcare*

A health care power of attorney grants an agent the authority to make medical decisions for you if you are unconscious, mentally incompetent, or otherwise unable to make decisions on your own.

*Not the same as a Living Will.

Financial

A financial power of attorney allows you to name an agent to help you handle your financial affairs. Depending on your individual circumstances, you can give this person complete or limited power to act on your behalf. Unless you state otherwise, this power goes into effect immediately.

What Can Agents Control?

- Banking transactions
- Safety deposit box access
- Tax filings/returns
- Sell/purchase/manage real estate
- Borrow money
- Manage business interests
- Handle government benefits
- Make financial decisions
- Estate planning
- Medical treatment decisions
- Enter into contracts
- Purchase life insurance
- Exercise stock rights
- Hire representatives

Most agents are trusted sources and a Power of Attorney can be a very useful legal tool. However, there are those rare circumstances or opportunities that may lead to abuse.

Things to Consider when Selecting an Agent:

- Can the individual(s) handle the extra responsibility of caring for your affairs?
- Is the individual(s) trustworthy to act on your behalf?
- Once you have executed a POA, meet with your appointed agent and go over the POA.
- Make sure your agent has a copy and knows where you have the original copy.
- POA's that deal with property and financials must be recorded in the Office of the Superior Court in your county of residence.

Here is what to be aware of...

Abuse of Power of Attorney

Theft is the most common type of abuse by a POA agent.

Through the guise of a legal POA, agents can make the necessary financial transactions to drain monies and leave the victim destitute.

These malicious acts result in a breach of fiduciary duty and are illegal.