Table of Contents

Volume 1

CHAPTER 1. INTRODUCTION

§ 1:1 What is a durable power of attorney?
§ 1:2 Why is a durable power of attorney important?
§ 1:3 Must a power of attorney be a written document?

CHAPTER 2. THE DURABLE POWER, PAST AND PRESENT

§ 2:1 The law of agency
§ 2:2 History of the durable power
§ 2:3 Current uniform legislation permitting the durable power
§ 2:4 Lack of uniformity in existing state statutes
§ 2:5 Significant differences in state statutes
§ 2:6 Conflicts of laws
§ 2:7 Matters that may be non-delegable

CHAPTER 3. THE DURABLE POWER OF ATTORNEY FOR HEALTH CARE

I. GENERALLY

§ 3:1 Introduction
§ 3:2 Custody and management of the incapacitated person

II. HEALTH CARE DECISIONMAKING

§ 3:3 Every competent adult has the right to determine his or her own medical care
§ 3:4 —Common law right
§ 3:5 —Constitutional right
§ 3:6 —Informed consent
§ 3:7 —Incompetency
§ 3:8 —Right to die
§ 3:9 The individual's right to determine medical care is equally available to incompetent persons

§ 3:10 The individual's right to determine medical care is not an absolute right—Competing state interests
§ 3:11 —Preservation of life
§ 3:12 —Prevention of suicide
§ 3:13 —Protection of innocent third parties
§ 3:14 —Protecting the ethical integrity of the medical profession
§ 3:15 Medical ethics in the context of life-sustaining medical treatment
§ 3:16 —Futile treatment
§ 3:17 —Definition of death
§ 3:18 —Unconsciousness
§ 3:19 —Benefits and burdens
§ 3:20 —Nourishment and hydration
§ 3:21 —Euthanasia and assisted suicide
§ 3:22 —Summary
§ 3:23 Given the individual's right to determine medical care, how is the right exercised?
§ 3:24 Who makes the decisions?
§ 3:25 How is a decisionmaker or surrogate to be guided?
§ 3:26 —Clear and convincing evidence of the patient's desires
§ 3:27 —Substituted judgment
§ 3:28 —The best interest standard
§ 3:29 —The legal issues of Theresa Marie Schiavo
§ 3:30 Litigation concerning health care powers of attorney
§ 3:31 —Summary

III. THE ADVANCE DIRECTIVE

§ 3:32 Purpose
§ 3:33 Content and types of advance directives
§ 3:34 —Living wills
§ 3:35 —Physician orders for life-sustaining treatment (POLST)
§ 3:36 —Durable powers of attorney for health care

IV. LIABILITY FOR NOT HONORING TREATMENT WITHDRAWAL REQUESTS

§ 3:37 Hospital liability

V. PLANNING AND DRAFTING THE DURABLE POWER OF ATTORNEY FOR HEALTH CARE

§ 3:38 Client interview
§ 3:39 Essential components
§ 3:40 General coverage considerations
§ 3:41 Use of forms for life support withdrawal
§ 3:42 Physician aid-in-dying (assisted suicide)
§ 3:43 The springing versus immediate durable power of attorney for health care
§ 3:44 Exculpatory language
§ 3:45 State public policy versus constitutional rights—Drafting considerations
§ 3:46 Department of Veterans Affairs regulations governing advance medical directives

VI. THE UNIFORM HEALTH-CARE DECISIONS ACT

§ 3:47 Generally

VII. HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996

§ 3:48 Generally
§ 3:49 Definitions
§ 3:50 Individual signed valid authorizations
§ 3:51 Impact of the power of attorney
§ 3:52 Release rule
§ 3:53 Impact of HIPAA on estate planning documents
§ 3:54 Impact of HIPAA on state forms

VIII. DELEGATION OF THE POWERS OF A PARENT OR GUARDIAN TO ANOTHER PERSON

§ 3:55 Introduction
§ 3:56 Implementation by states
§ 3:57 Required information in a document

IX. ORGAN AND TISSUE DONATION

§ 3:58 Organ and tissue donation generally
§ 3:59 Types of organ donation

§ 3:60 Governance of the organ donation policies and procedures
§ 3:61 Law governing organ transplant procedures
§ 3:62 Conclusion

CHAPTER 4. THE DURABLE POWER OF ATTORNEY FOR PROPERTY MANAGEMENT

I. INTRODUCTION

§ 4:1 Generally

II. ALTERNATIVES TO THE DURABLE POWER OF ATTORNEY FOR PROPERTY

§ 4:2 Guardianship or conservator proceedings
§ 4:3 Revocable living trusts

III. WHAT POWERS SHOULD BE GRANTED?

§ 4:4 Generally
§ 4:5 Transactions between the agent and a trustee of a revocable trust
§ 4:6 —Removing assets from the trust
§ 4:7 —Adding assets to the trust
§ 4:8 —Reviewing the activities of the trustee
§ 4:9 —Powers to amend or revoke a revocable trust
§ 4:10 —Power to create a revocable trust
§ 4:11 Traditional estate planning uses of a durable power of attorney
§ 4:12 —Immediate pre-mortem tax planning
§ 4:13 —Gift giving
§ 4:14 —Disclaiming interests on behalf of the principal
§ 4:15 —Electing statutory share
§ 4:16 —Liquidity planning
§ 4:17 Planning for government entitlements
§ 4:18 Income tax planning
§ 4:19 Potential tax problems arising from the agent's powers
§ 4:20 —Tax problems arising from a power to make gifts
§ 4:21 —Drafting to avoid tax problems for the agent
§ 4:22 —Tax problems related to specific assets
§ 4:23 Coordinating the durable power of attorney for property with other estate planning documents

IV. FEDERAL LAW

§ 4:24 Access to educational records under the Family Educational Rights and Privacy Act

CHAPTER 5. THE AGENT

§ 5:1 The fiduciary status of an agent under a DPA
§ 5:2 Does the agent have a duty to act?
§ 5:3 Selecting the agent
§ 5:4 Compensating the agent
§ 5:5 Supervising the agent
§ 5:6 Third party reliance
§ 5:7 Can the agent enforce actions under the DPA?
§ 5:8 Protecting the agent
§ 5:9 Discussions with the agent
§ 5:10 Ethical considerations
§ 5:11 Agent responsibilities under FBAR

CHAPTER 6. THE THIRD-PARTY PERSPECTIVE

§ 6:1 Generally
§ 6:2 Checklist—Third party review of a Durable Power of Attorney

CHAPTER 7. DRAFTING THE DURABLE POWER

§ 7:1 The drafting system, generally
§ 7:2 Client interview
§ 7:3 Drafting durable powers
§ 7:4 Power of attorney for custodial care and pre-death planning
§ 7:5 Drafting springing powers
§ 7:6 Arbitration issues relating to power of attorney documents
§ 7:7 Should one or two documents be prepared?
§ 7:8 Execution of the durable power
§ 7:9 Drafting systems
§ 7:10 How to use this system

CHAPTER 8. DRAFTING CHECKLISTS

Checklist 1 Long Form Durable Power of Attorney (Property and Health Care)

Checklist 2 Short Form of Durable Power of Attorney (Property and Health Care)
Checklist 3 Durable Power of Attorney to Sell Real Estate
Checklist 4 Durable Power of Attorney to Buy Real Estate
Checklist 5 Durable Power of Attorney for Investments
Checklist 6 Durable Power of Attorney for Pour-Overs to Trust
Checklist 7 Durable Power of Attorney for Health Care
Checklist 7.5 Durable Power of Attorney for Custodial Care
Checklist 8 Durable Power of Attorney for Gifts
Checklist 9 Durable Power of Attorney to Deal with Bank

CHAPTER 9. FORM CLAUSES

I. APPOINTMENT OF AGENT

§ 1.00 Document Title
§ 1.10 (Alt. #1) Primary Agent—With or Without Alternatives
§ 1.10a Single Alternate (To be Added to Form 1.10 if Applicable)
§ 1.10b Multiple Alternates Serving Consecutively (To Be Added to Form 1.10 if Applicable)
§ 1.10c Multiple Alternates—Unanimous Rule (To Be Added to Form 1.10 if Applicable)
§ 1.10d —Majority Rule (To Be Added to Form 1.10 if Applicable)
§ 1.10e —Any One of Whom May Act Alone (To Be Added to Form 1.10 if Applicable)
§ 1.15 (Alt. #2) Multiple Agents—All of Whom Must Act Unanimously
§ 1.20 (Alt. #3) Multiple Agents—All of Whom Must Act By Majority Vote
§ 1.25 (Alt. #4) Multiple Agents—Any One of Whom May Act Alone
§ 1.25a Any Agent May Veto (To Be Added to Form 1.25 if Applicable)
§ 1.27 Nomination of Any Partner in Specified Law Firm as Agent
§ 1.28 Designator of Person to Fill Agent Vacancy
§ 1.30 Springing Power Warning
§ 1.35 No Person Under Designated Age May Serve as Agent
§ 1.37 Statement of Intent to Create Durable Power of Attorney Under State Statute

§ 1.40 Revocation of Prior Powers of Attorney
§ 1.43 Revocation of Specifically Described Prior Power of Attorney
§ 1.45 Revocation of Several Specifically Described Prior Powers
§ 1.50 Delegation of All Powers Lawful to Delegate
§ 1.55(SF) Short Form—General Agent Authorization
§ 1.60 Agent is a Fiduciary of the Principal

II. POWERS OVER ASSETS

§ 2.00 Introduction, Asset Powers
§ 2.04 Power to Sell Specific Real Property
§ 2.05 Power to Sell
§ 2.05a Disposal of Proceeds of Sale (To Be Added to Form 2.05 if Applicable)
§ 2.05(SF) Short Form—Power to Sell
§ 2.06 Powers with Respect to Contaminated Real Estate
§ 2.10 Power to Buy
§ 2.10a Borrow Money in Order to Buy (To Be Added to Form 2.10 if Applicable)
§ 2.10b Use Credit Cards (To Be Added to Form 2.10 if Applicable)
§ 2.10c Repay Loans (To Be Added to Form 2.10 if Applicable)
§ 2.10(SF) Short Form—Power to Buy
§ 2.11 Power to Buy Specific Real Property
§ 2.15 Power to Invest
§ 2.15a Brokerage Accounts (To Be Added to Form 2.15 if Applicable)
§ 2.15b Cryptocurrency (To Be Added to Form 2.15 if Applicable)
§ 2.15c Non-Fungible Tokens (To Be Added to Form 2.15 if Applicable)
§ 2.15d Digital Assets (To Be Added to Form 2.15 if Applicable)
§ 2.15e Family Farm and Family-Owned Businesses (To Be Added to Form 2.15 if Applicable)
§ 2.15f Managing Agency Accounts (To Be Added to Form 2.15 if Applicable)
§ 2.15g Employ Consultants (To Be Added to Form 2.15 if Applicable)
§ 2.15h Utilize Artificial Intelligence (To Be Added to Form 2.15 if Applicable)

§ 2.15(SF)	Short Form—Power to Invest
§ 2.16	Power to Engage in Tax-Oriented Transactions
§ 2.16(SF)	Short Form—Power to Engage in Tax-Oriented Transactions
§ 2.17	Power to Engage in Commodity and Option Transactions
§ 2.17(SF)	Short Form—Power to Engage in Commodity and Option Transactions
§ 2.20	Power to Manage Real Property
§ 2.20a	Sell and Buy (To Be Added to Form 2.20 if Applicable)
§ 2.20b	Grant Mortgages, Deeds of Trust, Etc. (To Be Added to Form 2.20 if Applicable)
§ 2.20c	Lease (To Be Added to Form 2.20 if Applicable)
§ 2.20d	Create Limited Liability Company
§ 2.20(SF)	Short Form—Power to Manage Real Property
§ 2.21	Power to Deal with Environmental Matters
§ 2.21(SF)	Short Form—Power to Deal with Environmental Matters
§ 2.25	Power to Manage Personal Property
§ 2.25a	Sell and Buy (To Be Added to Form 2.25 if Applicable)
§ 2.25b	Grant Security Interests (To Be Added to Form 2.25 if Applicable)
§ 2.25(SF)	Short Form—Power to Manage Personal Property
§ 2.26	Power to Deal with Art Collection
§ 2.26a	—Power to Retain
§ 2.26b	—Power to Purchase
§ 2.26c	—Power to Lend
§ 2.26d	—Power to Sell
§ 2.26e	—Payment of Expenses
§ 2.26f	—Waiver of Responsibility to Insure
§ 2.26g	—Waiver of Liability
§ 2.26(SF)	Short Form—Power to Deal with Art Collection
§ 2.27	Power to Deal with Vehicle Collection
§ 2.27a	—Power to Retain
§ 2.27b	—Power to Purchase
§ 2.27c	—Power to Lend
§ 2.27d	—Power to Sell
§ 2.27e	—Payment of Expenses
§ 2.27f	—Waiver of Responsibility to Insure
§ 2.27g	—Waiver of Liability
§ 2.27(SF)	Short Form—Power to Deal with Vehicle Collection

§ 2.28	Power to Deal with Vehicles
§ 2.29	Power to Manage Intellectual Property
§ 2.29(SF)	Short Form—Power to Manage Intellectual Property
§ 2.30	Power to Operate Businesses
§ 2.30a	Partnership (To Be Added to Form 2.30 if Applicable)
§ 2.30(SF)	Short Form—Power to Operate Businesses
§ 2.35	Power to Exercise Rights in Securities
§ 2.35a	Power to Vote (To Be Added to Form 2.35 if Applicable)
§ 2.35b	Power to Lend to Corporation or Guarantee Its Loans (To Be Added to Form 2.35 if Applicable)
§ 2.35(SF)	Short Form—Power to Exercise Rights in Securities
§ 2.40	Power to Demand and Receive
§ 2.40a	Medicaid Qualification
§ 2.40(SF)	Short Form—Power to Demand and Receive
§ 2.41	Power to Create or Change Rights of Suvivorship
§ 2.41a	Limitation—Existing Arrangements Only (To Be Added to Form 2.41 if Applicable)
§ 2.42	Exercise Elective Share Rights
§ 2.42(SF)	Short Form—Exercise Elective Share Rights
§ 2.45	Power with Respect to Employment Benefits
§ 2.45a	Borrow from Plan, Sell Assets to Plan (To Be Added to Form 2.45 if Applicable)
§ 2.45b	Change Plan Beneficiary (To Be Added to Form 2.45 if Applicable)
§ 2.45(SF)	Short Form—Power with Respect to Employment Benefits
§ 2.46	Power to Deal with Roth IRAs
§ 2.47	Power to Waive Rights to a Joint and Survivor Annuity or Retirement Plan Survivor Benefit
§ 2.50	Power with Respect to Bank Accounts
§ 2.50a	Single Agent May Write and Endorse Checks
§ 2.50(SF)	Short Form—Power with Respect to Bank Accounts
§ 2.55	Power with Respect to Safe-Deposit Boxes
§ 2.55(SF)	Short Form—Power with Respect to Safe-Deposit Boxes
§ 2.60	Power with Respect to Legal and Other Actions
§ 2.60(SF)	Short Form—Power with Respect to Legal and Other Actions

§ 2.63	Power to Manage Membership Plans and Accounts
§ 2.63(SF)	Short form—Power to Manage Membership Plans and Accounts
§ 2.64	Power to Deal with Club Memberships.
§ 2.65	Power to Borrow Money (Including Insurance Policy Loans)
§ 2.65(SF)	Short Form—Power to Borrow Money (Including Insurance Policy Loans)
§ 2.70	Power to Create, Fund, Amend and Terminate Revocable Trusts Solely for the Benefit of the Principal
§ 2.70a	Agent May Be a Trustee (To Be Added to Form 2.70 if Applicable)
§ 2.70b	Bank Must Be a Trustee (To Be Added to Form 2.70 if Applicable)
§ 2.70(SF)	Short Form—Power to Create, Fund, Amend, and Terminate Trusts Solely for the Benefit of the Principal
§ 2.71	Power to Create and Fund Trusts to Qualify for Governmental Assistance
§ 2.71(SF)	Short Form—Power to Create and Fund Trusts to Qualify for Governmental Assistance
§ 2.72	Power to Create Qualified Personal Residence Trust
§ 2.72(SF)	Short Form—Power to Create Qualified Personal Residence Trust
§ 2.73	Power to Create Spousal Lifetime Access Trust
§ 2.73(SF)	Short Form—Power to Create Spousal Lifetime Access Trust
§ 2.75	Power to Fund Trusts Created by the Principal
§ 2.75(SF)	Short Form—Power to Fund Trusts Created by the Principal
§ 2.80	Power to Withdraw Funds from Trusts
§ 2.80(SF)	Short Form—Power to Withdraw Funds from Trusts
§ 2.85	Power to Renounce and Resign from Fiduciary Positions
§ 2.85(SF)	Short Form—Power to Renounce and Resign from Fiduciary Positions
§ 2.87	Power to Disclaim, Renounce, Release or Abandon Property Interests
§ 2.87(SF)	Short Form—Power to Disclaim, Renounce, Release, or Abandon Property Interests

§ 2.89	Power with Respect to Insurance
§ 2.89a	Power to Change Beneficiaries (To Be Added to Form 2.89 if Applicable)
§ 2.89b	Power to Cancel Insurance (To Be Added to Form 2.89 if Applicable)
§ 2.89(SF)	Short Form—Power with Respect to Insurance
§ 2.90	Power to Create or Change Beneficiary Designations (General)
§ 2.91	Power with Respect to Taxes
§ 2.91(SF)	Short Form—Power with Respect to Taxes
§ 2.93	Power to Make Gifts
§ 2.93a	Gifts Limited to Specified Recipients (To Be Added to Form 2.93 if Applicable)
§ 2.93a1	Individually Described Recipients
§ 2.93a2	The Principal's Children
§ 2.93a3	The Principal's Descendants
§ 2.93a4	The Principal's Spouse
§ 2.93a5	The Principal's Family
§ 2.93a6	Gifts to Agent
§ 2.93b	Gifts Limited to Specified Purposes
§ 2.93b1	Education
§ 2.93b2	Medical Expenses
§ 2.93b3	Charitable, Etc.
§ 2.93b4	Gifts Limited to Available Credit
§ 2.93b5	Gifts Limited to a Cumulative Maximum Amount
§ 2.93b6	Gifts for Estate and Tax Planning
§ 2.93b7	Gifts for Medicaid Planning
§ 2.93c	Other Limitations on Gifts
§ 2.93c1	Present Interest
§ 2.93c2	No Gifts to Agent
§ 2.93c3	Gifts to Agent (Annual Exclusion)
§ 2.93c4	Exemption of Spouse/Agent from Limitations
§ 2.93c5	Gifts to All Descendants in Same Generation
§ 2.93d	Tax Matters
§ 2.93d1	File Gift Tax Returns
§ 2.93d2	Gift Splitting and "Net" Gifts
§ 2.93(SF)	Short Form—Power to make Gifts
§ 2.94	Power to Make Gifts to Spouses, Descendants and Their Spouses
§ 2.95	Power to Provide Support to Others
§ 2.95a	Separation or Divorce (To Be Added to Form 2.95 if Applicable)
§ 2.95(SF)	Short Form—Power to Provide Support to Others

§ 2.96 Power to Create Qualified State Tuition Plans
§ 2.96a Specified Beneficiaries
§ 2.96a1 Individually Described Recipients
§ 2.96a2 The Principal's Children
§ 2.96a3 The Principal's Descendants
§ 2.96a4 The Principal's Family's Descendants
§ 2.96b Right to Make Changes to QSTP
§ 2.96(SF) Power to Oversee Qualified State Tuition Plans
§ 2.97 Power to Make Loans
§ 2.97a Guarantee Loans, Renew, Extend (To Be Added to Form 2.97 if Applicable)
§ 2.97b Prohibition of Loans to Agent (To Be Added to Form 2.97 if Applicable)
§ 2.97(SF) Short Form—Power to Make Loans
§ 2.98 Power to Care for Pets
§ 2.98a Power to Care for Pets
§ 2.98b Immediate Needs
§ 2.98c Appointment of Custodian for Pets
§ 2.98d Scope of Care
§ 2.98e Memorandum on Care
§ 2.98f Termination of a Pet's Life
§ 2.98(SF) Power to Care for Pets

III. POWERS OVER PERSONAL CUSTODY

§ 3.00 Introduction, Care and Control of the Person
§ 3.05 Power to Provide for Principal's Support
§ 3.05a Protect or Dispose of Property (To Be Added to Form 3.05 if Applicable)
§ 3.05b Inter Vivos Delivery to Will Beneficiary (To Be Added to Form 3.05 if Applicable)
§ 3.05(SF) Short Form—Power to Provide for Principal's Support
§ 3.07 Power to Provide for Personal Care
§ 3.10 Power to Provide for Recreation and Travel
§ 3.15 Power to Provide for Spiritual or Religious Needs
§ 3.15(SF) Short Form—Power to Provide for Spiritual or Religious Needs
§ 3.20 Power to Provide for Companionship
§ 3.25 Power to Make Advance Funeral Arrangements
§ 3.30 Power to Make Anatomical Gifts Effective at Death
§ 3.30a Gifts of Blood, Organs or Body Parts to Family Members During Principal's Lifetime

§ 3.30(SF) Short Form—Power to Make Anatomical Gifts Effective at Death
§ 3.31 Prohibition of Anatomical Gifts
§ 3.35 Power to Change Domicile
§ 3.35(SF) Short Form—Power to Change Domicile
§ 3.40 Designation of Agent as a "Personal Representative" Under Health Insurance Portability and Accountability Act

IV. POWERS OVER HEALTH CARE

§ 4.00 Introduction, Health Care
§ 4.00(SF) Short Form—Introduction, Health Care
§ 4.05 Powers Relating to Medical Records and Other Personal Information
§ 4.06 Powers relating to psychiatric records
§ 4.09 Power to obtain medical records to determine incapacity
§ 4.09a Application of medical inquiry to agent
§ 4.10 Power to Employ and Discharge Health Care Personnel
§ 4.10(SF) Short Form—Employ Health Care Personnel
§ 4.11 Power and Direction to Obtain Status of Principal's Health Status
§ 4.11(SF) Short Form—Power and Direction to Obtain Status of Principal's Health Status
§ 4.15 Power to Give, Withhold or Withdraw Consent to Health Care Treatment
§ 4.15(SF) Short Form—Power to Give, Withhold, or Withdraw Consent to Health Care Treatment
§ 4.20 Power to Give or Withhold Consent to Psychiatric Treatment
§ 4.20(SF) Short Form—Power to Give or Withhold Consent to Psychiatric Treatment
§ 4.23 Power to Maintain Me in My Residence
§ 4.23(SF) Short Form—Power to Maintain Me in My Residence
§ 4.25 Power to Exercise My Health Care Right of Privacy
§ 4.25(SF) Short Form—Health Care Right to Privacy
§ 4.30 Power to Authorize Relief from Pain
§ 4.30(SF) Short Form—Relief from Pain
§ 4.31 Collection, Preservation, and Use of Reproductive Material

§ 4.31a Authorization for Use—Family
§ 4.31b Authorization for Transfer
§ 4.32 Disposal of Reproductive Material
§ 4.35 Power to Grant Releases
§ 4.35(SF) Short Form—Power to Grant Releases
§ 4.50 Providing for the Principal's Incapacitated Children
§ 4.50a Payment for Child's Special Needs
§ 4.50b Restrictions on Payments
§ 4.50c Facility of Payment
§ 4.50d Seeking Other Assistance
§ 4.50e Resisting and Denying Claims
§ 4.50f Prohibition on Payment of Claims
§ 4.50g Payment of Child's Funeral Expenses
§ 4.50h Termination of Agent's Power
§ 4.50i Delegation of Parental Powers
§ 4.50j Nomination of Guardian

V. POWERS TO REFUSE OR MAXIMIZE MEDICAL CARE

§ 5.00 Introduction and Recitals—Refusal of Health Care
§ 5.00a Discontinue Feeding, Etc. (To Be Added to Form 5.00 if Applicable)
§ 5.00b Object to Termination of Food and Water (To Be Added to Form 5.00 if Applicable)
§ 5.00c Agent is Custodian of "Living Will/Declaration/Directive" with Delivery Instructions (To Be Added to Form 5.00 if Applicable)
§ 5.00d Authorization to Agent to Request Aid-in-Dying
§ 5.00e Denial of Authorization to Agent to Request Aid-in-Dying
§ 5.00(SF) Short Form—Refusal of Health Care
§ 5.15 Power to Authorize Maximum Life-Prolonging Measures
§ 5.20 Modifications to Conform with Religious Beliefs
§ 5.20a Modifications for Orthodox Judaism
§ 5.20b Modifications for Conservative Judaism
§ 5.20c Modifications for Catholicism
§ 5.20d Modifications for Presbyterians

VI. INCIDENTAL POWERS

§ 6.00 Introduction, Incidental Powers

§ 6.00(SF) Short Form—Introduction, Incidental Powers
§ 6.05 Resort to Courts
§ 6.05(SF) Short Form—Resort to Courts
§ 6.06 Resolution of Claims and Charges Through Arbitration
§ 6.06(SF) Short Form—Resolution of Claims and Charges Through Arbitration
§ 6.10 Hire and Fire Generally
§ 6.10(SF) Short Form—Hire and Fire Generally
§ 6.11 Hire and Fire Health Care Personnel Only
§ 6.12 Hire and Fire Non-Health Care Personnel Only
§ 6.15 Sign Documents and Incur Costs in Implementing the Agent's Instructions
§ 6.15(SF) Short Form—Sign Documents and Incur Costs
§ 6.16 Deal with Contracts and Agreements.
§ 6.16(SF) Deal with Contracts and Agreements.
§ 6.17 Payment of Medical Expenses
§ 6.20 Borrow, Spend, Liquidate, Secure
§ 6.29 Power to Control Electronic Media
§ 6.29(SF) Short Form—Power to Control Electronic Media
§ 6.30 Power to Do Miscellaneous Acts
§ 6.30(SF) Short Form—Power to Do Miscellaneous Acts
§ 6.31 Authorization to Deal with Non-United States Accounts, Reporting, and Indemnification
§ 6.50 Statement of Agent's General Duties—Introductory Clause
§ 6.50a Act to Implement Principal's Expectations
§ 6.50b Requirement to Act in Good Faith and Loyalty
§ 6.50c Act with Care and Competence
§ 6.50d Act Within Scope of Authority
§ 6.50e Not Act to Create a Conflict of Interest
§ 6.50f Responsibility for Recordkeeping
§ 6.50(SF) Short Form—Statement of Agent's General Duties
§ 6.51 Coordination with Health Care Agent

VII. THIRD PARTY RELIANCE ON AGENT

§ 7.00 Introduction, Third Party Reliance, Durable Power for Property and Health
§ 7.00(SF) Short Form—Third Party Reliance
§ 7.01 Introduction, Third Party Reliance, Durable Power for Property Only
§ 7.02 Introduction, Third Party Reliance, Durable Power for Health Care Only

§ 7.05 Third Party Liability for Revocation and Amendments
§ 7.10 Agent Has Power to Act Alone
§ 7.14 When Less Than The Required Number of Agents May Act
§ 7.15 No Liability to Third Parties for Reliance on Agent
§ 7.16 Alternate Agent May Give Affidavit or Certificate That He or She Currently Serves
§ 7.17 Affidavits or Certificates Given By Agent Bind Principal
§ 7.20 Authorization to Release Information to Agent
§ 7.25 Authorization to Release Medical Information

VIII. AGENT'S POWERS

A. RESTRICTION OF POWERS

§ 8.00 Introduction, Restrictions on Powers
§ 8.00(SF) Short Form—Restriction on Powers
§ 8.05 Prohibition on Power Over Life Insurance on Agent's Life
§ 8.10 Prohibition on Power Over Prior Transfers
§ 8.15 Prohibition on Power to Benefit Agent
§ 8.20 Prohibition on Exercise of Fiduciary Powers
§ 8.25 Avoid Disrupting Principal's Estate Plan
§ 8.30 Prohibition on Consent to Binding Arbitration
§ 8.31 Prohibition on Prospective Consent to Binding Arbitration for Future Controversies
§ 8.32 Prohibition Against Exercising any Control over Foreign Financial Accounts
§ 8.33 Power and Direction to Provide Information to Outside Professional on Principal's Financial Affairs
§ 8.33(SF) Short Form—Power and Direction to Provide Information to Outside Professional on Principal's Financial Affairs

B. POWER OF ATTORNEY PROTECTOR

§ 8.50 Appointment and Powers of a Power of Attorney Protector

IX. DURABILITY PROVISIONS

§ 9.05 (Alt. #1) Durability Provision (Simple Immediate Power)

§ 9.10 (Alt. #2) Durability Provision (Simple Springing Power)
§ 9.10a Attending Physician (To be Added to Form 9.10 if Applicable)
§ 9.10b Two Independent Physicians (To be Added to Form 9.10 if Applicable)
§ 9.10c Spouse and Attending Physician (To be Added to Form 9.10 if Applicable)
§ 9.10d Private Determination—Unanimous (To be Added to Form 9.10 if Applicable)
§ 9.10e —Majority (To be Added to Form 9.10 if Applicable)
§ 9.11 (Alt #2A) Durability Provision (Simple Springing Power With HIPAA Authority)
§ 9.15 (Alt. #3) Durability Provision (Immediate Power—Operative on Incapacity as Defined in Power)
§ 9.20 (Alt. #4) Durability Provision (Springing Power—Incapacity Defined)
§ 9.20(SF) Simple Springing Power—Incapacity Defined
§ 9.30 Current Authorization For Agent to Obtain Health Care Information

X. ADMINISTRATIVE PROVISIONS

§ 10.00 Introduction, Administrative Provisions
§ 10.01 Agent's Acceptance
§ 10.01(SF) Short Form—Agent's Acceptance
§ 10.05 Reimbursement of Agent
§ 10.05a No Compensation (To Be Added to Form 10.05 if Applicable)
§ 10.05b Statutory Compensation (To Be Added to Form 10.05 if Applicable)
§ 10.05c Compensation by Hourly Rate (To Be Added to Form 10.05 if Applicable)
§ 10.05d Compensation Measured by Income (To Be Added to Form 10.05 if Applicable)
§ 10.05e Compensation for Multiple Agents (To Be Added to Form 10.05 if Applicable)
§ 10.05(SF) Short Form—Reimbursement of Expenses but No Compensation of Agent
§ 10.05a(SF) Short Form—Reimbursement of Expenses and Compensation of Agent
§ 10.07 Agent's Accountability
§ 10.07a Person to Receive Accounting

§ 10.07a1	Individually Specified Person
§ 10.07a2	Principal's Attorney at Law
§ 10.07a3	Principal's Accountant
§ 10.07a4	Principal's Family
§ 10.07a5	Next Successor Agent
§ 10.07a6	Court Having Jurisdiction
§ 10.07a7	Fiduciary Having Authority
§ 10.07a8	Executor Having Authority after Death
§ 10.07b	Frequency of Accountings
§ 10.07b1	On Demand
§ 10.07b2	Annually
§ 10.07b3	Monthly
§ 10.07c	Disposition of Accountings
§ 10.07d	Other Powers of Auditor
§ 10.07(SF)	Short Form—No Mandatory Requirement for Accounting
§ 10.07a(SF)	Short Form—Mandatory Requirement for Accounting
§ 10.08	Agent's Liability for Malfeasance
§ 10.09	Judicial Relief
§ 10.10	Nomination of Agent as Conservator and Guardian for Principal
§ 10.10a	Alternate Agents as Alternate Conservator/Guardians (To Be Added to Form 10.10 if Applicable)
§ 10.10(SF)	Short Form—Nomination of Agent as Conservator and Guardian for Principal
§ 10.15	Nomination of Named Individual as Conservator and Guardian for Principal
§ 10.15a	Nomination of Alternate Conservator/Guardian (To Be Added to Form 10.15 if Applicable)
§ 10.20	Request That No Guardian or Conservator Be Appointed
§ 10.22	Appointment of Guardian/Conservator Shall Not Revoke Power
§ 10.22a	Decisions of Agent Intended to Have Priority
§ 10.25	Nomination of Agent as Conservator and Guardian for Principal's Children
§ 10.25a	Alternate Agent as Alternate Conservator and Guardian (To Be Added to Form 10.25 if Applicable)
§ 10.30	Nomination of Named Individual as Conservator and Guardian for Principal's Children

§ 10.30a	Alternate Conservator and Guardian (To Be Added To Form 10.30 if Applicable)
§ 10.33	Waiver for Acts of Omission and Commission
§ 10.35	Waiver of Duty to Produce Income, Authority for Transactions Between Agent as Agent and Agent as Individual and Eligibility of Agent to Serve in Other Fiduciary Capacities for Principal
§ 10.37	No Duty to Monitor Health
§ 10.40	Severability
§ 10.42	Agent's Authority to Continue Until Revoked
§ 10.43	Agent's Authority to Sign Power of Attorney Forms
§ 10.44	Agent Authorized to Employ Principal's Attorney
§ 10.45	Governing Law and Applicability to Foreign Jurisdictions
§ 10.45a	Power to Be Effective as to Property in Other Jurisdictions
§ 10.45b	Power to Be Effective as to Health Care in Other Jurisdictions
§ 10.45(SF)	Short Form—Governing Law
§ 10.50	Definitions
§ 10.55	Revocation, Amendment and Resignation
§ 10.55a	Separation or Divorce (To Be Added to Form 10.55 if Applicable)
§ 10.55b	Removal of Agent by Third Party (To Be Added to Form 10.55 if Applicable)
§ 10.55(SF)	Short Form—Revocation and Amendment
§ 10.56	Substitute/Successor Agent Appointed by Court
§ 10.56a	Final Substitute/Successor Agent
§ 10.56b	Temporary Unavailability of Agent
§ 10.57	Appointment of Ancillary Agent
§ 10.58	Agent's Resignation and Selection of Substitute
§ 10.59	Agent's Death, Incapacity or Resignation and Selection of Substitute
§ 10.60	Counterpart Originals
§ 10.65	Photocopies
§ 10.67	Binding Effect

XI. DECLARATIONS OF THE PRINCIPAL

§ 11.00 Declarations of the Principal

§ 11.05 Employment and Assistance of Attorney
§ 11.10 Principal's Review and Acceptance of the Durable Power of Attorney
§ 11.15 Direction to Attorney About Gifts Generally
§ 11.20 Direction to Attorney About Gifts to Agent
§ 11.23 Direction to Interpret Power of Attorney Broadly
§ 11.25 Direction to Attorney About Exculpatory Clauses
§ 11.30 Legal Advice About Powers of Attorney Generally
§ 11.35 Legal Advice About Gifts Generally
§ 11.40 Legal Advice About Gifts by Agent to Agent
§ 11.45 Standards for Validity of Gifts Under This Instrument
§ 11.50 Acceptance of Risk
§ 11.55 Withdrawal of Life Support
§ 11.60 Continuation of Life Support

XII. TESTIMONIUM AND ACKNOWLEDGMENT CLAUSES

§ 12.00 Closing, Signature Block
§ 12.03 Acknowledgment(s) and Acceptance by Agent(s)
§ 12.05 Notarial Acknowledgment

CHAPTER 10. SUPPLEMENTAL DOCUMENTS

§ 10:1 Form letter to client about Durable Power of Attorney
§ 10:2 Client brochure language
§ 10:3 Form letter explaining retention of original Durable Power of Attorney by lawyer
§ 10:4 Certification of authorization by principal
§ 10:5 Certification of incapacity
§ 10:6 Authorization and release of medical records and information
§ 10:7 Revocation of Power of Attorney
§ 10:8 Certification by agent of incumbency and authority
§ 10:9 Certificate by alternative agent of succession
§ 10:10 Appointment of successor agent
§ 10:11 Representation of agent as to authenticity, current validity and authority
§ 10:12 Affidavit concerning validity of Durable Power of Attorney
§ 10:13 Declaration of Principal's intent regarding withdrawal of life support

§ 10:14 Wallet-size card indicating existence of Durable Power of Attorney for Health Care
§ 10:15 Guidelines for agent acting under Power of Attorney or Health Care Power of Attorney
§ 10:16 Guide to the principal of a Durable Power of Attorney as to safeguarding, notifications, etc.
§ 10:17 Guide for maker of an advance directive (no agent appointed)
§ 10:18 Letter to principal's children as co-agents, any of whom may act alone
§ 10:19 Waiver
§ 10:20 Escrow agreement for retention of Durable Power of Attorney

CHAPTER 11. ALABAMA

§ 11:1 Form—Advance Directive for Health Care
§ 11:2 Form—Power of Attorney
§ 11:3 Form—Agent's Certification as to the Validity of Power of Attorney and Agent's Authority

Appendix 11-1. Related Statutes

CHAPTER 12. ALASKA

§ 12:1 Form—General Power of Attorney
§ 12:2 Form—Additional Optional Provisions to Statutory Power of Attorney
§ 12:3 Form—Advance Health Care Directive

Appendix 12-1. Related Statutes

CHAPTER 13. ARIZONA

§ 13:1 Form—Health Care Power of Attorney
§ 13:2 Form—Prehospital Medical Care Directive
§ 13:3 Form—Living Will
§ 13:4 Form—Mental Health Care Power of Attorney

Appendix 13-1. Related Statutes

CHAPTER 14. ARKANSAS

§ 14:1 Form—Declaration—Life-sustaining procedures
§ 14:2 Form—Power of attorney
§ 14:3 Form—Agent's certification

Appendix 14-1. Related Statutes

CHAPTER 15. CALIFORNIA

§ 15:1 Form—Power of Attorney
§ 15:2 Form—Advance Health Care Directive
Appendix 15-1. Related Statutes

CHAPTER 16. COLORADO

§ 16:1 Form—Power of attorney
§ 16:2 Form—Agent's certification as to the validity of power of attorney and agent's authority
§ 16:3 Form—Certificate of appointment of a surrogate decision-maker for health care benefits
§ 16:4 Form—Declaration of disposition of last remains
Appendix 16-1. Related Statutes

CHAPTER 17. CONNECTICUT

§ 17:1 Form—Short Form Durable Statutory Power of Attorney
§ 17:2 Form—Long Form Durable Statutory Power of Attorney
§ 17:3 Form—Durable Power of Attorney Account
§ 17:4 Form—Agent's Certification as to the Validity of Power of Attorney and Agent's Authority
§ 17:5 Form—Affidavit That Power of Attorney is in Full Force and Effect
§ 17:6 Form—Document Concerning Health Care and Withholding or Withdrawal of Life Support Systems
§ 17:7 Form—Health Care Instructions; Appointment of Health Care Agent, Attorney-in-Fact For Health Care Decisions; Designation of Conservator of the Person for Future Incapacity and Anatomical Gift. Revocation of Appointment. Absence of Knowledge of Revocation
§ 17:8 Form—Appointment of Health Care Representative
Appendix 17-1. Related Statutes

CHAPTER 18. DELAWARE

§ 18:1 Form—Durable Personal Power of Attorney
§ 18:2 Form—Advance Health-Care Directive
Appendix 18-1. Related Statutes

CHAPTER 19. DISTRICT OF COLUMBIA

§ 19:1 Form—Declaration

§ 19:2 Form—Statutory Power of Attorney Form
§ 19:3 Form—Agent's Certification as to Validity of Power of Attorney and Agent's Authority
§ 19:4 Form—Additional Notice if Power of Attorney Authorizes Real Estate Transactions
§ 19:5 Form—Power of Attorney for Health Care

Appendix 19-1. Related Statutes

CHAPTER 20. FLORIDA

§ 20:1 Form—Durable Power of Attorney Affidavit
§ 20:2 Form—Designation of Health Care Surrogate
§ 20:3 Form—Designation of Health Care Surrogate for a Minor—Suggested Form
§ 20:4 Form—Living Will

Appendix 20-1. Related Statutes

CHAPTER 21. GEORGIA

§ 21:1 Form—Statutory Form Power of Attorney
§ 21:2 Form—Agent's Certification as to the Validity of Power of Attorney and Agent's Authority
§ 21:3 Form—Advance Directive for Health Care
§ 21:4 Form—Do Not Resuscitate Order

Appendix 21-1. Related Statutes

CHAPTER 22. HAWAII

§ 22:1 Form—Advance Health Care Directive
§ 22:2 Form—Advance Mental Health Care Directive
§ 22:3 Form—Statutory Form Power of Attorney
§ 22:4 Form—Agent's Certification as to the Validity of Power of Attorney and Agent's Authority

Appendix 22-1. Related Statutes

CHAPTER 23. IDAHO

§ 23:1 Form—Power of attorney
§ 23:2 Form—Agent's certification
§ 23:3 Form—Mental health treatment declaration

Appendix 23-1. Related Statutes

CHAPTER 24. ILLINOIS

§ 24:1 Form—Declaration (death not to be artificially postponed)

§ 24:2 Form—Declaration for Mental Health Treatment
§ 24:2.30 Form—Agent's Certification and Acceptance of Authority
§ 24:2.50 Form—Successor Agent's Certification and Acceptance of Authority
§ 24:2.70 Form—Co-agent's Certification and Acceptance of Authority
§ 24:3 Form—Short Form Power of Attorney for Property (including notices)
§ 24:4 Form—Short Form Power of Attorney for Health Care
Appendix 24-1. Related Statutes

Volume 2

CHAPTER 25. INDIANA

§ 25:1 Form—Living Will
§ 25:2 Form—Life Prolonging Procedures Declaration
§ 25:3 Form—Out of Hospital Do Not Resuscitate Declaration and Order
§ 25:4 Form—Funeral Planning Declaration
Appendix 25-1. Related Statutes

CHAPTER 26. IOWA

§ 26:1 Form—Declaration Relating to the Use of Life-Sustaining Procedures
§ 26:2 Form—Durable Power of Attorney for Health Care
§ 26:3 Form—Declaration of Designee
§ 26:4 Form—Iowa Statutory Power of Attorney Form
§ 26:5 Form—Iowa Statutory Power of Attorney Agent's Certification Form
Appendix 26-1. Related Statutes

CHAPTER 27. KANSAS

§ 27:1 Form—Durable Power of Attorney for Health Care
§ 27:2 Form—Declaration directing withholding or withdrawal of life-sustaining procedures
§ 27:3 Form—Pre-hospital DNR Request Form
Appendix 27-1. Related Statutes

CHAPTER 28. KENTUCKY

§ 28:1 Form—Advance directive for mental health treatment

§ 28:2 Form—Living will directive
§ 28:3 Form—Statutory form power of attorney
§ 28:4 Form—Agent's certification as to the validity of power of attorney and agent's authority

Appendix 28-1. Related Statutes

CHAPTER 29. LOUISIANA

§ 29:1 Form—Military power of attorney
§ 29:2 Form—Declaration directing withholding or withdrawal of life-sustaining procedures
§ 29:3 Form—Military Advance Medical Directive

Appendix 29-1. Related Statutes

CHAPTER 30. MAINE

§ 30:1 Form—Advanced Health Care Directive
§ 30:2 Form—Agent's Certification as to Validity of Power of Attorney and Agent's Authority

Appendix 30-1. Related Statutes

CHAPTER 31. MARYLAND

§ 31:1 Form—Advance directive/Living will
§ 31:2 Form—Personal financial power of attorney
§ 31:3 Form—Limited power of attorney
§ 31:4 Form—Agent's certification as to the validity of power of attorney and agent's authority

Appendix 31-1. Related Statutes

CHAPTER 32. MASSACHUSETTS

§ 32:1 Note regarding Massachusetts forms

Appendix 32-1. Related Statutes

CHAPTER 33. MICHIGAN

§ 33:1 Form—Do Not Resuscitate Order
§ 33:2 Form—Do Not Resuscitate Order (individuals depending on spiritual means for healing)
§ 33:3 Form—Statutory Form Power of Attorney
§ 33:4 Form—Agent's Acknowledgement
§ 33:5 Form—Certifications as to Validity of Power of Attorney and Agent's Authority

Appendix 33-1. Related Statutes

CHAPTER 34. MINNESOTA

§ 34:1 Form—Health Care Living Will
§ 34:2 Form—Health Care Directive
§ 34:3 Form—Affidavit by Attorney in Fact
§ 34:4 Form—Statutory Short Form Power of Attorney

Appendix 34-1. Related Statutes

CHAPTER 35. MISSISSIPPI

§ 35:1 Form—Advance Health Care Directive

Appendix 35-1. Related Statutes

CHAPTER 36. MISSOURI

§ 36:1 Form—Declaration directing withholding or withdrawal of death-prolonging procedures

Appendix 36-1. Related Statutes

CHAPTER 37. MONTANA

§ 37:1 Form—Declaration relating to the use of life-sustaining treatment
§ 37:2 Form—Declaration relating to the use of life-sustaining treatment (designation of another individual to make treatment decisions)
§ 37:3 Form—Statutory form power of attorney
§ 37:4 Form—Agent's certification as to the validity of power of attorney and agent's authority

Appendix 37-1. Related Statutes

CHAPTER 38. NEBRASKA

§ 38:1 Form—Declaration relating to use of life-sustaining treatment
§ 38:2 Form—Power of attorney for health care
§ 38:3 Form—Statutory form power of attorney
§ 38:4 Form—Agent's certification as to the validity of power of attorney and agent's authority
§ 38:5 Form—Advance mental health care directive

Appendix 38-1. Related Statutes

CHAPTER 39. NEVADA

§ 39:1 Form—Power of Attorney
§ 39:2 Form—Power of Attorney for Adult with Intellectual Disability

§ 39:3 Form—Power of Attorney for Adult with Dementia
§ 39:4 Form—Declaration Directing Physician or Advanced Practice Registered Nurse to Withhold or Withdraw Life-Sustaining Treatment
§ 39:5 Form—Declaration Designating Another Person to Decide to Withhold or Withdraw Life-Sustaining Treatment
§ 39:6 Form—Advance Health-Care Directive

Appendix 39-1. Related Statutes

CHAPTER 40. NEW HAMPSHIRE

§ 40:1 Form—Durable Power of Attorney for Health Care-Disclosure Statement
§ 40:2 Form—Advance Directive; Durable Power of Attorney and Living Will
§ 40:3 Form—Statutory Form Power of Attorney
§ 40:4 Form—Agent's Certification as to the Validity of Power of Attorney and Agent's Authority

Appendix 40-1. Related Statutes

CHAPTER 41. NEW JERSEY

§ 41:1 Note regarding New Jersey forms

Appendix 41-1. Related Statutes

CHAPTER 42. NEW MEXICO

§ 42:1 Form—Advance health care directive
§ 42:2 Form—Advance directive for mental health treatment
§ 42:3 Form—Power of attorney
§ 42:4 Form—Agent's certification

Appendix 42-1. Related Statutes

CHAPTER 43. NEW YORK

§ 43:1 Form—Power of Attorney-Statutory Short Form
§ 43:2 Form—Health Care Proxy

Appendix 43-1. Related Statutes

CHAPTER 44. NORTH CAROLINA

§ 44:1 Form—Health Care Power of Attorney
§ 44:2 Form—Authorization to Consent to Health Care for Minor

§ 44:3 Form—Statutory Short Form Power of Attorney
§ 44:4 Form—Agent's Certification as to Validity and Authority of Power of Attorney and Agent's Authority
§ 44:5 Form—Limited Power of Attorney for Real Property
§ 44:6 Form—Advance Directive for a Natural Death ("Living Will")
§ 44:7 Form—Advance Instruction for Mental Health Treatment

Appendix 44-1. Related Statutes

CHAPTER 45. NORTH DAKOTA

§ 45:1 Form—Health Care Directive

Appendix 45-1. Related Statutes

Volume 3

CHAPTER 46. OHIO

§ 46:1 Form—Durable power of attorney for health care notice
§ 46:2 Form—Statutory form power of attorney
§ 46:3 Form—Agent's certification as to the validity of power of attorney and agent's authority

Appendix 46-1. Related Statutes

CHAPTER 47. OKLAHOMA

§ 47:1 Form—Power of Attorney
§ 47:2 Form—Advance Directive for Mental Health Treatment
§ 47:3 Form—Examiner's Certification
§ 47:4 Form—Statutory Power of Attorney Form
§ 47:5 Form—Agent's Certification as to Validity of Power of Attorney and Agent's Authority
§ 47:6 Form—Advance Directive for Health Care (effective until June 30, 2027)
§ 47:6.50 —Advance Health Care Directive (effective July 1, 2027)
§ 47:7 Form—Do Not Resuscitate Consent Form

Appendix 47-1. Related Statutes

CHAPTER 48. OREGON

§ 48:1 Form—Notice to Respondent

§ 48:2 Form—Advance Directive for Health Care
§ 48:3 Form—Appointing Health Care Representative and Alternate Health Care Representative
§ 48:4 Form—Declaration for Mental Health Treatment
§ 48:5 Form—Request for Medication

Appendix 48-1. Related Statutes

CHAPTER 49. PENNSYLVANIA

§ 49:1 Form—Durable Health Care Power of Attorney and Health Care Treatment Instructions (Living Will)
§ 49:2 Form—Notice for Powers of Attorney
§ 49:3 Form—Pennsylvania Out-of-Hospital Do-Not-Resuscitate Order

Appendix 49-1. Related Statutes

CHAPTER 50. RHODE ISLAND

§ 50:1 Form—Short form power of attorney
§ 50:2 Form—Durable power of attorney for health care
§ 50:3 Form—Declaration relating to use of life sustaining procedures

Appendix 50-1. Related Statutes

CHAPTER 51. SOUTH CAROLINA

§ 51:1 Form—Declaration of a Desire for a Natural Death
§ 51:2 Form—Do Not Resuscitate Order
§ 51:3 Form—Heath Care Power of Attorney
§ 51:4 Form—Agent's Certification as to the Validity of Power of Attorney and Agent's Authority

Appendix 51-1. Related Statutes

CHAPTER 52. SOUTH DAKOTA

§ 52:1 Form—Living will declaration
§ 52:2 Form—Statutory form power of attorney
§ 52:3 Form—Agent's certification as to the validity of power of attorney and agent's authority
§ 52:4 Form—Statutory revocation of power of attorney

Appendix 52-1. Related Statutes

CHAPTER 53. TENNESSEE

§ 53:1 Form—Living Will

§ 53:2 Form—Durable Power of Attorney for Health Care Warning Statement

Appendix 53-1. Related Statutes

CHAPTER 54. TEXAS

§ 54:1 Form—Declaration for Mental Health Treatment
§ 54:2 Form—Written Directive
§ 54:3 Form—Medical Power of Attorney
§ 54:4 Form—Durable Power of Attorney
§ 54:5 Form—Agent's Certification

Appendix 54-1. Related Statutes

CHAPTER 55. UTAH

§ 55:1 Form—Declaration for mental health treatment
§ 55:2 Form—Optional form for advance health care directive
§ 55:3 Form—Statutory form power of attorney
§ 55:4 Form—Agent's certification as to validity of power of attorney and agent's authority

Appendix 55-1. Related Statutes

CHAPTER 56. VERMONT

§ 56:1 Form—Statutory Form Power of Attorney
§ 56:2 Form—Statutory Short Form Power of Attorney for Real Estate Transactions
§ 56:3 Form—Agent's Certification as to Validity of Power of Attorney and Agent's Authority
§ 56:4 Form—Durable Power of Attorney Disclosure Statement (Repealed)
§ 56:5 Form—Durable Power of Attorney for Health Care (Repealed)

Appendix 56-1. Related Statutes

CHAPTER 57. VIRGINIA

§ 57:1 Form—Agent's certification as to the validity of power of attorney and agent's authority
§ 57:2 Form—Advance medical directive

Appendix 57-1. Related Statutes

CHAPTER 58. WASHINGTON

§ 58:1 Form—Health Care Directive

§ 58:2 Form—Request for Medication to End Life in a Humane and Dignified Manner
§ 58:3 Form—Mental Health Advance Directive (Effective until June 30, 2027)
§ 58:4 Form—Agent's Certification as to the Validity of Power of Attorney and Agent's Authority

Appendix 58-1. Related Statutes

CHAPTER 59. WEST VIRGINIA

§ 59:1 Form—Living Will
§ 59:2 Form—Medical Power of Attorney
§ 59:3 Form—Combined Medical Power Of Attorney And Living Will
§ 59:4 Form—Do-Not-Resuscitate Order
§ 59:5 Form—Statutory Form Power of Attorney
§ 59:6 Form—Agent's Certification as to the Validity of Power of Attorney and Agent's Authority

Appendix 59-1. Related Statutes

CHAPTER 60. WISCONSIN

§ 60:1 Form—Living will
§ 60:2 Form—Authorization for final disposition
§ 60:3 Form—Power of attorney for health care
§ 60:4 Form—Power of attorney for finances and property
§ 60:5 Form—Agent's certification as to the validity of power of attorney for finances and property and agent's authority

Appendix 60-1. Related Statutes

CHAPTER 61. WYOMING

§ 61:1 Note regarding Wyoming forms
§ 61:2 Form—Statutory Form Power of Attorney
§ 61:3 Form—Agent's Certification

Appendix 61-1. Related Statutes

CHAPTER 62. GUAM

CHAPTER 63. PUERTO RICO

CHAPTER 64. VIRGIN ISLANDS

APPENDICES

Appendix A. Statutory Advance Directives Quick Reference List

Appendix B. Table of Jurisdictions Adopting the Uniform Durable Power of Attorney Act

Appendix C. Table of Jurisdictions Adopting the Uniform Power of Attorney Act

Table of Laws and Rules

Table of Cases

Index