

# Practical & Procedural Considerations of Power of Attorneys

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# The Fiduciary Relationship of an Attorney and an Incapable Person

- A. Scope of Power
- B. Discretion of Attorney
- C. Inter Vivos Gifts and Charitable Donations
- D. Loans



# Compensation of Attorneys

- A. Normal Percentages
- B. Who can Contest



# Financial Records

- A. Importance of Detailed Accounting, Receipts etc.
- B. Income Tax Returns
- C. Problems I Have Seen



# Residence of Attorney

- Substitute Decisions Act – Security Bond



# Restrictions on Health Care Professionals Becoming Attorneys for Incapable Persons

- A. Relatives are Excepted



# What Happens When You Become Incapable and do not Have a Power of Attorney

- A. Public Trustee
- B. Court Order



# Safe Keeping of Original Documents





Thank You For  
Watching

