

Why Should I Get One?

There are several reasons why you should draft Power of Attorneys. A few reasons include:

- Making your wishes known
- Giving power to specific individuals
- Making requests for burial/funeral arrangements
- Avoiding family disputes

How Can ALRP Help?

ALRP can help:

- Explain these documents to you
- Draft documents for you at no cost
- Provide notary services* at no cost

*Financial Power of Attorney must be notarized. Medical Health Care Directive does not require notarization.

How To Volunteer/Donate

ALRP relies on the legal community's tradition of pro bono service and the generosity of many individuals and organizations to meet the legal needs of people with HIV/AIDS.

ALRP needs volunteers to donate their time in a multitude of ways. To volunteer, please contact our Volunteer Coordinator at (415) 701-1200 ext. 303.

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Your contribution, large or small,
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Attorneys Helping You

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(415) 701-1200
(510) 451-5353



1663 Mission Street, Suite 500
San Francisco, CA 94103
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This brochure is made possible
through a grant from
**Bay Area Physicians
for Human Rights, Inc.**
(BAPHR

POWER OF ATTORNEY

A Guide For People
Living With HIV/AIDS

It's not just about people's rights,
it's about people's lives.



What Is A Power Of Attorney?

A Power of Attorney is a legal document that gives a person (called an “agent” or “attorney-in-fact”) the power to act for another person (called the “principal” or “grantor”).

The grantor can give an agent broad legal authority or limit the agent’s authority. A General Power of Attorney allows the agent to make decisions in a variety of situations. A Specific Power of Attorney limits the agent’s authority by assigning more specific duties.

Financial Power Of Attorney

The Financial Power of Attorney is a document that allows you to choose a person to act on your behalf for financial and/or business transactions.

Once a person is chosen, he/she becomes your agent. The Power of Attorney document allows the agent to act for you in the matters that you choose. Third parties, such as banks, will treat the agent as if he/she is you.

You can give your agent unlimited power to handle all of your financial transactions or you can limit the power to only transactions specifically written in the document. For example, you can allow your agent to conduct your banking, pay all your bills, and sell your personal items, or you can limit your agent to only paying your rent each month.

The Power of Attorney will not expire unless you include an expiration date. You have the right to revoke the Power of Attorney at any time. The most common way to revoke a Power of Attorney is to notify the agent and third parties that the document has been revoked and obtain any outstanding copies of the Power of Attorney.

A Financial Power of Attorney does not authorize your agent to make medical or health care decisions for you. You will need a Medical Health Care Directive to designate a person to make these decisions on your behalf.

Power Of Attorney For Health Care

The Power of Attorney for Health Care is often referred to as a Medical Health Care Directive (MHCD). It may also be called a living will, an advance directive, or a declaration or directive to physicians. A MHCD is much like a Power of Attorney, but is specifically designed for medical care.

With a MHCD, you can assign someone the power to make health care decisions for you. The person becomes your agent, and he/she must act consistently with your desires – either verbally or as stated in this document.

You may state in this document if you want your life to be prolonged (if you have an incurable condition or become

unconscious), or if you do not want to be on life support. In addition, you can state what types of medical treatment you do or do not desire. You may also state whether you want to donate your tissue or organs. If you do not state your wishes in the document, it is assumed that you give your agent the authority to make all the necessary decisions, including the authorization of an autopsy and the disposition of your remains.

The powers given by this document will not expire unless you include an expiration date. You can allow your agent’s authority to begin immediately or when your primary care physician determines that you are incapable of making decisions on your own. You have the right to revoke the authority of your agent by notifying your agent or your treating doctor, hospital, or other health care provider orally or in writing of the revocation.

Choosing Your Power Of Attorney Agent

Your agent does not have to be an attorney for either document. You should choose someone you trust to make decisions in your best interest and/or who will carry out your wishes.

It is useful, and strongly advised that you designate an alternate agent. This is important in case your first choice for agent declines or is unable to act when needed.