

Attorney Timothy P. Crawford, CPA, CELA*, CAP**
wanted to share this information with you.

Powers of Attorney Come in Different Flavors

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A power of attorney is a very important estate planning tool, but in fact there are several different kinds of powers of attorney that can be used for different purposes. Before executing this crucial document, it is important to understand what your options are.

A power of attorney allows a person you appoint -- your "attorney-in-fact" or agent -- to act in your place for financial or other purposes when and if you ever become incapacitated or if you can't act on your own behalf. There are four main types of powers of attorney.

- **Limited.** A limited power of attorney gives someone else the power to act on your behalf for a very limited purpose. For example, a limited power of attorney could give someone the right to sign a deed to property for you on a day when you are out of town. It usually ends at a time specified in the document.
- **General.** A general power of attorney is comprehensive and gives your attorney-in-fact all the powers and rights that you have yourself. For example, a general power of attorney may give your attorney-in-fact the right to sign documents for you, pay your bills, and conduct financial transactions on your behalf. You could use a general power of attorney if you were not incapacitated, but still needed someone to help you with financial matters. A general power of attorney ends on your death or incapacitation unless you rescind it before then.
- **Durable.** A durable power of attorney can be general or limited in scope, but it remains in effect after you become incapacitated. Without a durable power of attorney, if you become incapacitated, no one can represent you unless a court appoints a conservator or guardian. A durable power of attorney will remain in effect until your death unless you rescind it while you are not incapacitated.
- **Springing.** Like a durable power of attorney, a springing power of attorney can allow your attorney-in-fact to act for you if you become incapacitated, but it does not become effective until you *are* incapacitated. If you are using a springing

power of attorney, it is very important that the standard for determining incapacity and triggering the power of attorney be clearly laid out in the document itself.

Regardless of what type of power of attorney you use, it is important to think carefully about who will be your attorney-in-fact. Your attorney-in-fact will have a lot of control over your finances, and it is crucial that you trust him or her completely.

While many pre-packaged do-it-yourself power of attorney forms are available, it is a good idea to have an attorney draft the form specifically for you. There are many issues to consider and one size does not fit all. Contact Attorney Timothy P. Crawford to learn more.

**““Those Who Plan Ahead Win.
Those Who Don’t Plan Ahead Lose.”**

This article is not intended as legal advice. It is basic information. I would recommend that you call Attorney Timothy P. Crawford for a free conference to discuss your situation in more detail. Attorney Timothy P. Crawford can be reached toll-free at 1-888-634-6675. When you call in, please mention the fact that you have read this article.

*Attorney Timothy P. Crawford is a Board Certified Elder Law Attorney(CELA). He has been Board Certified by the National Elder Law Foundation which has been approved as the Sole Certifying Organization for Elder Law Attorneys by the American Bar Association.

**Timothy P. Crawford was invited to join the Council of Advanced Practitioners of the National Academy of Elder Law Attorneys (NAELA) in August of 2005. The Council of Advanced Practitioners (CAP) is a small group of premier elder law attorneys, all of whom have been members of NAELA for at least 10 years, are certified as elder law attorneys by the National Elder Law Foundation, and are AV rated the top in the nation by Martindale Hubbell. A Service that provides an independent rating of the quality of attorneys.

**GREATER MILWAUKEE AREA OFFICES IN BROOKFIELD, GLENDALE,
MILWAUKEE & RACINE**

**“Helping Families in Wisconsin for Over 40 Years to Protect Their Assets from
Nursing Home Care Costs”**

“A majority of text has come from an article prepared by Attorney Howard S. Krooks, friend of Attorney Timothy P. Crawford, is used here with permission.”

FORM DISTRIBUTION CODE SHEET – FORM: ARTICLE PASSWORDS FOR YOUR COMPUTER

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(NOTE TO FORM TYPIST: INCLUDE THIS SHEET WITH ANY FORM BEING CHANGED OR CREATED, & MAKE THIS SHEET THE LAST PAGE OF THE FORM SAVED IN THE COMPUTER.)

BELOW IS A LIST OF THE LOCATIONS WHERE THE ATTACHED FORM WILL GO:

- A. TPC (all forms)
- B. SAM (all forms)
- C. RACHEL (all forms for Masters) TO BE PUT IN:
 - T19 #1 – Maxi
 - T19 #1 - Mini
 - T19 #2 Package
 - Crisis
 - Pre-Plan
 - BOTH Package
 - SPA #1 – Maxi
 - SPA #1 - Mini
 - Probate Avoidance Pkg. (PAP)
 - FFLT #1 Will Pkg
 - FFLT #2
 - FOLDERS IN CONFERENCE ROOMS (Library, JP’s Office, & BK)
 - CREDENZA– Sections A, C & D of T19 #2
- D. LYNN & NINA - FFLT SIGNINGS
- E. ELLEN (T19 Update forms and Signing Pkgs forms)
- F. HEATHER (Starter Packages and NOY Packages)
- G. FORMS IN FILES FOR UPCOMING APPTS (Signing Box & TPC’s Office)
- H. TAMI - Marketing Pkg: L&L Co-Counsel Pkg. Teaser/Order Pkg.
- I. TOP TEN - Tami
- J. WEBSITE – Tami & Howard Reverse Mortgage Folder - Tami
- K. SEMINAR FOLDERS – Rachel, Tami, Howard & Heather
- L. T19 MANUAL - Lynn & Rachel RESOURCE BOOK – Lynn & Rachel
- M. DEATH PKGS. – Kay & Lynn

THE FOLLOWING FORMS SHOULD BE GIVEN TO TPC AND ALL STAFF:

- 1. Maps
- 2. Locate File Form
- 3. GO TO Next Labels
- 4. Report Request Form
- 5. TPC Fax Sheet
- 6. Form Distribution Code Sheet
- 7. General Codes Sheet
- 8. 50% Discount Certificates