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How To Revoke a Durable Power of Attorney

Every adult should consider creating a Durable Power of Attorney regardless of age. A Durable Power of Attorney allows someone, appointed by you (the principal), to act on your behalf should you become incapacitated. That person is called an Attorney-in-Fact. Occasionally, for various reasons, it may become necessary to revoke the power of attorney and appoint someone else as your agent.

Instructions

1. Tell your Attorney-in-Fact you have selected another person to act as your Attorney-in-Fact. Ask him to return his copy of your Durable Power of Attorney and destroy any copies made.
2. Put your revocation in writing. A document stating that you have revoked the Durable Power of Attorney protects you and your interests. This document may be purchased online, or you may want to consult an attorney.
3. Use an online legal service if you want to save money on attorney's fees. Make sure you choose a reputable online service. Check with the Better Business Bureau to see if there have been any complaints against it.
4. Consult an attorney if you feel more comfortable. After the proper documents have been filled out, an attorney will send a letter to the agent of the Revocation of Power of Attorney. This is an example of an actual letter of revocation sent to an agent:
RE: Revocation of Power of Attorney
Dear Mrs. _____
This letter is to advise that Mrs. _____ has recorded a Revocation of Power of Attorney wherein you were named as her Attorney-in-Fact. The revocation was recorded by the _____ County Court Clerk on (date) in Deed Book 3917, Page 223.
Very Truly Yours,
Attorney's Name
5. Give your Attorney-in-Fact only those powers that you wish. For example he may:
Pay for support and care
Borrow money
Take care of banking transactions

Deal with property
Handle legal claims
Prepare and file tax returns
Handle medical decisions

6. Understand that you can choose when a power of attorney ends.
A power of attorney will also end if a court invalidates your document. This can happen if you were a victim of fraud.
According to legalzoom.com, if your spouse is your agent, the power of attorney is automatically terminated if you get a divorce in the following states: Alabama, California, Colorado, Illinois, Indiana, Minnesota, Missouri, Pennsylvania, Texas and Wisconsin.

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