



Obligations of an attorney

IF YOU ARE ASKED TO BE AN ATTORNEY...



Make sure the person appointing you has **told their direct family** so you are not put into a conflict situation.



Be very **careful with documentation, record-keeping and banking**, keep their money separate from yours.



Make the decisions they would make for themselves (not what you think is right).



Involve the person in the decision-making as far as possible.

▶ Louis was financial attorney for his father



Louis, his aging father and Louis' son (the grandson)

- The father couldn't make decisions.
- In the past he had been very generous with his grandson (Louis' son), sometimes supporting him financially.
- Louis gave his son money to fix his car from his father's account BUT...

**He didn't have permission to do that.
It had to be **written into the power of attorney.****

POWER OF ATTORNEY

When will it commence?

- On signing
- After a particular event

POWER OF ATTORNEY

What financial decisions?

- Banking
- Selling assets

POWER OF ATTORNEY

What personal decisions?

- Where you live
- Your access to services
- Who can visit

THE POWER OF ATTORNEY



Can be TAILOR-MADE – catering to your special circumstances



Get it sorted sooner rather than later



Be clear and specific



Review it from time to time to make sure your wishes are implemented

DISCLAIMER

This information is intended as a guide to the law and should not be relied on as legal advice. While every effort has been made to ensure this information is as up-to-date and accurate as possible, the law is complex and constantly changing. Seniors Rights Victoria/ Council on the Ageing (Victoria) Inc. disclaim all liability for errors or omissions of any kind, or for any loss or damage, in whole or in part, arising from any person relying on any information in this publication. This video includes references to external websites. Seniors Rights Victoria does not control and accepts no liability for the content of those websites or for any loss or damage arising from the use or reliance on those websites.