



DUTIES OF THE ATTORNEY-IN-FACT

1. When acting on behalf of the *principal*, the *attorney-in-fact* should sign the principal's name, then write by "the *attorney-in-fact's* name" followed by the letters P.O.A. (i.e., Papa T. Principal, by Able Y. Assistant, P.O.A.).
2. The *attorney-in-fact* is not required to exercise the powers granted under the *power of attorney* nor to assume control of nor responsibility for any of the *principal's* property, care, or affairs, regardless of the *principal's* physical or mental condition.
3. When the *attorney-in-fact* does act (exercise any power) under the *power of attorney*, the *attorney-in-fact* shall use due care for the benefit of the *principal*.
4. An *attorney-in-fact* shall exercise all powers granted under the *power of attorney* in a fiduciary capacity. In other words, the *attorney-in-fact* must act only in the interest of the *principal* (the person granting the power of attorney), and not in his or her own interests.
5. The *attorney-in-fact* shall keep complete records of all transactions they perform or enter into on behalf of the *principal*. The *attorney-in-fact* shall, at all times, be prepared to render an accounting of his or her actions, and, under specific circumstances, may be compelled to render a written accounting to the *principal*, or to certain third parties.
6. The *power of attorney* ceases at death of the *principal*.

DEFINITIONS

Principal = the individual who signs a power of attorney (POA).

TIP: Granting a POA does not reduce or limit the principal's authority to act on their own behalf; a POA merely allows the attorney-in-fact to use some of the principal's authority.

Attorney-in-Fact = the agent designated to act for the principal under a power of attorney

TIP: authority granted to the attorney-in-fact shall never supercede or overrule the principal's own authority (so long as the principal remains mentally competent).