

# Enduring Power Of Attorney Checklist

## Things to consider when making an Enduring Power of Attorney (EPOA)

### 1. Revocation

- If there are previous EPOAs that are being revoked: locate, get back, and destroy or revoke in writing

### 2. Choosing an Attorney(s)

- Who to name?
- One or more to act jointly?
- Consider one or more alternates
- What skills, attributes, resources, and experience do they have that make them appropriate?
- Do they understand what it involves?
- Have they agreed to act?
- Gather all the information needed:

For example: the location of your Enduring Power of Attorney; where to find all of your financial and property information

- Keep in mind family dynamics

### 3. Powers

- Consider what powers to give your Attorney (a little or a lot)
- Be clear

### 4. Other Content Considerations

- Who makes decisions about when and how the Enduring Power of Attorney will come into effect?

An Enduring Power of Attorney can come into effect immediately upon signing or upon the occurrence of a specific event, such as you losing mental capacity.

- What sort of decisions will the Attorney be making?
  - Do you own property?
  - Do you have business interests, such as shares in a corporation or rental income?
  - Do you work with an accountant or lawyer regularly?
- How or when are decisions of the Attorney(s) to be reviewed?
- Payment for the Attorney

## 5. Completion of Document

- Will you use a lawyer or not?

You may wish to consult a lawyer if you have complicated needs or plans, if you're concerned someone will challenge your mental capacity, or if there are any family difficulties.

- Make sure all legal requirements are met

## 6. What to do with it

- Keep the original in a safe place
- Give your Enduring Power of Attorney to individuals who you want to have a copy  
For example: Attorney(s) under Enduring Power of Attorney, Agent under Personal Directive, Lawyer
- Keep a list of who has a copy (in case you need to get it back later)

## 7. Review regularly

- Changing relationships – marriage, separation, divorce, remarriage, death



For more information, check out the following free publications at <http://www.cplea.ca/publications>:

Making an Enduring Power of Attorney  
Being an Attorney Under an Enduring Power of Attorney  
General Powers of Attorney