

LAW OFFICES OF
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Attorney at Law

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Speaking Presentation
Elder Friendly Future Conference
October 8, 2014, 1:30PM

POWER OF ATTORNEY

A legal document that allows you to appoint an “attorney-in-fact” (a/k/a “agent”) to carry out your financial matters and/or health care wishes when you are not able to do so either on a temporary or permanent basis. You specify in the document the authority granted to your attorney-in-fact. The attorney-in-fact (not an attorney-at-law) can be a relative, friend or someone you trust. The attorney-in-fact’s authority ceases upon your death. Your execution of this document can often avoid the need for a Guardianship.

Purposes: Financial
 Medical

Types: Limited attorney-in-fact’s authority is limited for specific time or purpose.

General attorney-in-fact has authority up to moment of disability/incapacity.

Durable attorney-in-fact has authority through disability and incapacity up to moment of death

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Effectiveness: Immediately your attorney-in-fact has authority the moment after you sign the document.

Upon Your Disability your attorney-in-fact has authority in the future upon your disability. Your disability is evidenced by a physician's letter stating that your disability (physical and/or mental) prevents you from managing your financial affairs and/or understanding your medical situation and decisively making health care decisions.

HEALTH CARE DIRECTIVE

Limited to terminal or permanent unconscious condition.

Covers life-sustaining treatment, including choice of nutrition and hydration (must check or initial box).

Can add specific instructions, such as mechanical ventilation, CPR, etc.

You can revoke orally at any time, regardless of competency.

INFORMED CONSENT STATUTE

Presented by another panelist.