



Power of Attorney

A power of attorney is an authorization to act on someone else's behalf in a legal or business matter. The person authorizing the other to act is the "principal" or "grantor (of the power)", and the one authorized to act is the "agent" or "attorney-in-fact" (AIF). The attorney-in-fact acts "in the principal's name." For example, by signing the principal's name to documents.

A Power of Attorney is a written document that can be limited in scope or it can allow one person to give another the full power and authority to represent him or her. There are two types of Power of Attorneys: one covering assets and one covering health care decisions.

In some situations, a Power of Attorney (POA), or limited power of attorney, provides the authority needed to carry out what otherwise would be difficult or impossible to do. Although customarily drawn up by lawyers, some POAs may also be composed without legal assistance using forms purchased from an office supply company. A limited power of attorney form dealing strictly with motor vehicles is available free from the Tax Commissioner's Office.

Except for POAs dealing with real estate transactions, it is not a requirement to file a copy in the Clerk's office. Still, some people choose to do so based on their circumstances. When and if to file a power of attorney is an individual decision. If legal counsel is needed, it is best to consult an attorney; the employees of the Clerk of Court cannot provide legal advice.