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What is a Power of Attorney? What are the types of Powers of Attorney?



A power of attorney (POA) is a legal document where an adult (age 18 or greater), known as the principal, gives authoritative power to another adult, known as the attorney-in-fact or agent, to act for the principal. POA's can be general or specific in scope and can be revoked at any time by the principal. There are powers of attorney for property (for financial matters) and powers of attorney for health care decisions. A Power of Attorney which continues after the incapacity of the principal is referred to as a "durable power." An agent's authority under a power of attorney for property will end at the death of the principal unless the POA provides for an earlier termination. However if the agent is a spouse, his or her authority will terminate at divorce or when the court specifies.

Illinois has statutory forms for both powers of attorney for property and powers of attorney for health care, but you are free to use other forms to create powers of attorney.

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