

JAG can assist your POA needs

From the Judge Advocate

A Power of Attorney is a written instrument that allows you (the “principal”) to authorize your agent (your “attorney-in-fact”) to conduct certain business on your behalf. It is one of the strongest legal documents that you can give to another person. There are two types of POA; “general” and “special” (or limited). A general POA gives your agent very broad powers to act on your behalf; and a special POA limits your agent’s authority to act only on certain matters. Every act performed by your agent within the authority of the POA is legally binding upon you. Since a POA is such a powerful document, give it only to a trustworthy person, and only when absolutely necessary. Your local legal assistance office can advise you about, and prepare for you, the appropriate type of POA needed for your situation.

For example, a soldier’s spouse may use the soldier’s power of attorney to

- Clear government quarters.
- Ship the family car.
- Cash the soldier’s paycheck.

You may hear that you need a “general” power of attorney so that someone else can take care of all your affairs if you are absent. This is probably not true.

In fact, it is highly unlikely that you will ever need a general power of attorney.

The Office of the Staff Judge Advocate will prepare a general or

A Power of Attorney is a written instrument that allows you to authorize another person to conduct certain business on your behalf. It is one of the strongest legal documents that you can give to another person.

special POA based on your needs. Here is a description of the normal types of special powers:

■ **Financial Transactions:** Cash checks: To endorse, cash and receive the proceeds of any check or other negotiable instrument. File claims: To institute and prosecute, or to appear and defend, any claims or litigation involving me. Start allotment: Stop allotment Change allotment Receive my Leave and Earning Statement(s). Borrow money from service relief organizations (e.g., Army Emergency Relief).

■ **Quarters:** Accept military quarters, including signing and taking possession. Clear or terminate quarters.

■ **Household Goods:** To ship household goods, personal baggage, or other personal property. To accept

delivery of, and receipt for, household goods and/or unaccompanied baggage.

■ **Real Property:** To sell real property. To buy identified real property. To lease real property. To mortgage real property.

■ **Motor Vehicle:** To use and operate. To sell. To buy. To ship.

■ **Children:** Temporary custody, Loco Parentis/Education Enrollment — do all acts necessary for maintaining the health, education, and welfare of my child, including the registration and enrollment of my child in schools; and to maintain the living standard of my child, including, but not limited to, provisions of living quarters, food, clothing, medical care, and other customary matters; and, specifically, to approve and authorize all medical or dental treatment deemed necessary by a duly licensed physician and to execute any release or waiver of liability required by medical or dental authorities incident to the provision of medical, surgical or dental care to my child, by qualified medical personnel; to act in loco parentis to name/date of birth of child. Medical care - to do all that is necessary or desirable for maintaining the health of my child; specifically, to approve and authorize any and all medical treatment deemed necessary by a duly licensed physician and to execute any release or waiver of liability required by medical or dental authorities incident to the provision of medical or dental care to my child by qualified medical personnel.