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Legal Forms & Services

FirstName LastName

NEBRASKA

POWER OF ATTORNEY

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The answers you provide in the questionnaire are incorporated in this document at your direction. The form was developed by attorneys based on the laws of your state. You are responsible for finalizing the document and having it reviewed by an attorney.

**Finalizing a Power of Attorney in Nebraska**

After printing your document, you will need to finalize it. Below are the steps:

1. Print out your document
2. Review, initial, sign, and date in front of a notary
3. Have notary sign and date
4. Keep document in a safe place

**Notice:** Some state laws require the principal to initial or sign next to the powers they have granted in order for that power to be effective. To make sure you have initialed and/or signed in the correct places, you should review your form and your state's laws on powers of attorney requirements.

In addition, your agent may be required to verify their authority with a certification or affidavit, or provide specimen signatures before a party will honor your power of attorney.

**NEBRASKA POWER OF ATTORNEY**  
**OF FirstName LastName**

**IMPORTANT INFORMATION**

This power of attorney authorizes another person (your agent) to make decisions concerning your property for you (the principal). Your agent will be able to make decisions and act with respect to your property (including your money) whether or not you are able to act for yourself. The meaning of authority over subjects listed on this form is explained in the Nebraska Uniform Power of Attorney Act.

This power of attorney does not authorize the agent to make health care decisions for you.

You should select someone you trust to serve as your agent. Unless you specify otherwise, generally the agent's authority will continue until you die or revoke the power of attorney or the agent resigns or is unable to act for you.

This form will not revoke a power of attorney previously executed by you unless you add that the previous power of attorney is revoked or that all other powers of attorney are revoked by this power of attorney in the Special Instructions.

Your agent is entitled to reasonable compensation unless you state otherwise in the Special Instructions.

This form provides for designation of one agent. If your agent is unable or unwilling to act for you, your power of attorney will end unless you have named a successor agent. You may also name a second successor agent.

This power of attorney shall be durable unless you state otherwise.

This power of attorney becomes effective immediately unless you state otherwise.

**If you have questions about the power of attorney or the authority you are granting to your agent, you should seek legal advice before signing this form.**

**DESIGNATION OF AGENT**

I, FirstName LastName, name the following person as my agent:

Name: FirstName LastName  
Address: 222 Street Name, City, Nebraska 12345  
Phone: 555-555-5555

**DESIGNATION OF SUCCESSOR AGENT(S)**

If my agent is unable or unwilling to act for me, I name as my successor agent:

Name: FirstName LastName  
Address: 333 Street Address, City, Nebraska 12345  
Phone: 555-555-5555

If my successor agent is unable or unwilling to act for me, I name as my second successor agent:

Name: FirstName LastName  
Address: 444 Street Address, City, Nebraska 12345  
Phone: 555-555-5555

**GRANT OF GENERAL AUTHORITY**

I grant my agent and any successor agent general authority to act for me with respect to the following subjects I have INITIALED as defined in the Nebraska Uniform Power of Attorney Act:

- Real property
- Tangible personal property
- Stocks and bonds
- Commodities and options
- Banks and other financial institutions
- Operation of entity or business
- Insurance and annuities
- Estates, trusts, and other beneficial interests
- Claims and litigation
- Personal and family maintenance
- Benefits from governmental programs or civil or military service

\_\_\_\_  Retirement plans

\_\_\_\_  Taxes

### **GRANT OF SPECIFIC AUTHORITY**

My agent SHALL NOT do any of the following specific acts for me UNLESS I have INITIALED the specific authority listed below:

(CAUTION: Granting any of the following will give your agent the authority to take actions that could significantly reduce your property or change how your property is distributed at your death. INITIAL ONLY the specific authority you WANT to give your agent.)

\_\_\_\_  Create, fund, amend, revoke, or terminate an inter vivos trust

\_\_\_\_  Make a gift

\_\_\_\_  Create or change rights of survivorship

\_\_\_\_  Create or change a beneficiary designation

\_\_\_\_  Delegate authority granted under the power of attorney

\_\_\_\_  Waive the principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan

\_\_\_\_  Exercise fiduciary powers that the principal has authority to delegate

\_\_\_\_  Renounce or disclaim an interest in property, including a power of appointment

### **LIMITATION ON AGENT'S AUTHORITY**

My agent MAY use my property to benefit the agent or a person to whom the agent owes an obligation of support.

### **SPECIAL INSTRUCTIONS**

Revocation. All my previously executed powers of attorney are hereby revoked.

Compensation. My agent MAY be entitled to reasonable compensation for actions taken pursuant to this power of attorney.

Special Instructions. I leave the following special instructions for my agent: I have no special instructions at this time.

### **EFFECTIVE DATE**

My agent shall only have the authority to act upon my later incapacity.

**NOMINATION OF CONSERVATOR OR GUARDIAN**

If it becomes necessary for a court to appoint a conservator of my estate, I nominate the following person for appointment:

Name:            FirstName LastName  
Address:        555 Street Address, City, Nebraska 12345  
Phone:          555-555-5555

If it becomes necessary for a court to appoint a guardian of my person, I nominate the following person for appointment:

Name:            FirstName LastName  
Address:        666 Street Address, City, Nebraska 12345  
Phone :         555-555-5555

**RELIANCE ON THIS POWER OF ATTORNEY**

Any person, including my agent, may rely upon the validity of this power of attorney or a copy of it unless that person has actual knowledge it has terminated or is invalid.

**SIGNATURE AND ACKNOWLEDGMENT**

\_\_\_\_\_ (Date)  
FirstName LastName  
111 Street Address, City, Nebraska 12345  
555-555-5555  
name@email.com

State of \_\_\_\_\_

County of \_\_\_\_\_

This document acknowledged before me on \_\_\_\_\_ by FirstName LastName.

\_\_\_\_\_ (Seal)  
Signature of notary

My commission expires: \_\_\_\_\_



## **IMPORTANT INFORMATION FOR AGENT**

### **Agent's Duties**

When you accept the authority granted under this power of attorney, a special legal relationship is created between you and the principal. This relationship imposes upon you legal duties that continue until you resign or the power of attorney is terminated or revoked. You must:

- (1) Do what you know the principal reasonably expects you to do with the principal's property or, if you do not know the principal's expectations, act in the principal's best interest;
- (2) Act in good faith;
- (3) Do nothing beyond the authority granted in this power of attorney; and
- (4) Disclose your identity as an agent whenever you act for the principal by writing or printing the name of the principal and signing your own name as "agent" in the following manner:

FirstName LastName by (Your signature) as Agent.

Unless the Special Instructions in this power of attorney state otherwise, you must also:

- (1) Act loyally for the principal's benefit;
- (2) Avoid conflicts that would impair your ability to act in the principal's best interest;
- (3) Act with care, competence, and diligence;
- (4) Keep a record of all receipts, disbursements, and transactions made on behalf of the principal;
- (5) Cooperate with any person that has authority to make health care decisions for the principal to do what you know the principal reasonably expects or, if you do not know the principal's expectations, to act in the principal's best interest; and
- (6) Attempt to preserve the principal's estate plan if you know the plan and preserving the plan is consistent with the principal's best interest.

### **Termination of Agent's Authority**

You must stop acting on behalf of the principal if you learn of any event that terminates this power of attorney or your authority under this power of attorney. Events that terminate a power of attorney or your authority to act under a power of attorney include:

- (1) Death of the principal;
- (2) The principal's revocation of your authority or the power of attorney;
- (3) The occurrence of a termination event stated in the power of attorney;
- (4) The purpose of the power of attorney is fully accomplished; or



(5) If you are married to the principal, a legal action is filed with a court to end your marriage, or for your legal separation, unless the Special Instructions in this power of attorney state that such an action will not terminate your authority.

**Liability of Agent**

The meaning of the authority granted to you is defined in the Nebraska Uniform Power of Attorney Act. If you violate the Nebraska Power of Attorney Act or act outside the authority granted, you may be liable for any damages caused by your violation.

**If there is anything about this document or your duties that you do not understand, you should seek legal advice.**

OPTIONAL SIGNATURE OF AGENT

I HAVE READ AND ACCEPT THE DUTIES AND LIABILITIES OF THE AGENT AS SPECIFIED IN THIS POWER OF ATTORNEY

Agent's Signature: \_\_\_\_\_.

Date: \_\_\_\_\_