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Legal Forms & Services

FirstName LastName

MISSOURI  
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 Missouri**

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.

**MISSOURI DURABLE POWER OF ATTORNEY  
OF FirstName LastName**

**IMPORTANT INFORMATION**

This power of attorney authorizes another person (your attorney in fact) to make decisions concerning your property for you (the principal). Your attorney in fact 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 Missouri Durable Power of Attorney statutes sections 404.700 to 404.737.

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

If your attorney in fact is unable or unwilling to act for you, your power of attorney will end unless you have named a successor attorney in fact. You may also name a second successor attorney in fact.

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 attorney in fact, you should seek legal advice before signing this form.**

**DESIGNATION OF ATTORNEY IN FACT**

I, FirstName LastName, name the following person as my attorney in fact:

Name:            FirstName LastName  
Address:         222 Street Address, City, Missouri 11111  
Phone:           1111111111

**DESIGNATION OF SUCCESSOR ATTORNEY(S) IN FACT**

If my attorney in-fact is unable or unwilling to act for me, I name as my successor attorney in fact:

Name:            FirstName LastName  
Address:         333 Street Address, City, Missouri 11111  
Phone:           1111111111

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

I choose not to name a second successor attorney in fact at this time.

**GRANT OF GENERAL AUTHORITY**

I grant my attorney in fact and any successor attorney in fact general authority to act with respect to all lawful subjects and purposes as defined in the Durable Power of Attorney Law of Missouri, section 404.710, except as follows:

I do not have any exceptions at this time.

**GRANT OF SPECIFIC AUTHORITY**

My attorney in fact MAY NOT do any of the following specific acts for me UNLESS I have INITIALED the specific authority listed below:

- \_\_\_\_\_  To execute, amend or revoke any trust agreement
- \_\_\_\_\_  To fund with the principal's assets any trust not created by the principal
- \_\_\_\_\_  To make or revoke a gift of the principal's property in trust or otherwise
- \_\_\_\_\_  To disclaim a gift or devise of property to or for the benefit of the principal, including but not limited to the ability to disclaim or release any power of appointment granted to the principal and the ability to disclaim all or part of the principal's interest in appointive property to the extent authorized under sections 456.970 to 456.1135
- \_\_\_\_\_  To create or change survivorship interests in the principal's property or in property in which the principal may have an interest; provided, however, that the inclusion of the authority set out in this subdivision shall not be necessary in order to grant to an attorney in fact acting under a power of attorney granting general powers with respect to all lawful subjects and purposes the authority to withdraw funds or other property from any account, contract or other similar arrangement held in the names of the principal and one or more other persons with any financial institution, brokerage company or other depository to the same extent that the principal would be authorized to do if the principal were present, not disabled or incapacitated, and seeking to act in the principal's own behalf
- \_\_\_\_\_  To designate or change the designation of beneficiaries to receive any property, benefit, or contract right on the principal's death
- \_\_\_\_\_  To designate one or more substitute or successor or additional attorneys-in-fact
- \_\_\_\_\_  To exercise, to revoke or amend the release of, or to contract to exercise or not to exercise, any power of appointment granted to the principal to the extent authorized under sections 456.970 to 456.1135



Address: 111 Street Address, City, Missouri 11111

Phone: 1111111111

Email: emailaddress@email.com

**Notary Acknowledgement**

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

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

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year 20 \_\_\_\_\_, before me, \_\_\_\_\_  
\_\_\_\_\_, a Notary Public in and for said state, personally appeared  
FirstName LastName, known to me to be the person who executed the within Power of  
Attorney, and acknowledged to me that he or she executed the same for the purposes therein  
stated.

Signature of Notary: \_\_\_\_\_

<Seal, if any>

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

## **IMPORTANT INFORMATION FOR ATTORNEY IN FACT**

### **Attorney in Fact'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. act in the best interests of the principal;
2. avoid conflicts of interest that impair the ability of the attorney in fact to act in the best interest of the principal;
3. avoid self-dealing and conflicts of interest;
4. exercise a high degree of care in maintaining, without modification, any estate plan which the principal may have in place;
5. exercise the authority granted in a power of attorney with that degree of care that would be observed by a prudent person dealing with the property and conducting the affairs of another;
6. keep in regular contact with the principal, to communicate with the principal and to obtain and follow the instructions of the principal;
7. exercise authority granted by the principal in accordance with the instrument setting forth the power of attorney, any modification made therein by the principal or the principal's legal representative or a court, and the oral and written instructions of the principal, or the written instructions of the principal's legal representative or a court; and
8. disclose your identity as an attorney in fact whenever you act for the principal by writing or printing the name of the principal and signing your own name as "attorney in fact" in the following manner:

FirstName LastName by (Your Signature) as Attorney in Fact

### **Termination of Attorney in Fact'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 the power of attorney or your authority;
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 Attorney in Fact**

The meaning of the authority granted to you is defined in the Missouri Durable Power of Attorney statutes sections 404.700 to 404.737. If you violate these statutes 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.**