



FindLaw[®]

Legal Forms & Services

FirstName LastName

LOUISIANA
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 Louisiana

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 and two witnesses
3. Have two witnesses sign and date
4. Have notary sign and date
5. 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.

Some state laws prohibit certain people from being witnesses to a power of attorney. Some states have specific requirements for notaries as well. Review your state's laws on witness and requirements for powers of attorney.

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.

POWER OF ATTORNEY
OF FirstName LastName
IMPORTANT INFORMATION

This power of attorney or mandate authorizes another person (your agent or mandatary) to make decisions concerning your property for you (the principal). Your agent or mandatary 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.

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.

Your agent is not entitled to any compensation unless you state otherwise in the Special Instructions. Your agent shall be entitled to reimbursement of reasonable expenses incurred in performing the acts required by you in your power of attorney.

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.

The mandatory (agent) must always use the original notarized power of attorney. If they do not have one, the notary who notarized the power of attorney must make a written statement that a copy is the same as the original power of attorney.

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.

LOUISIANA POWER OF ATTORNEY

DESIGNATION OF AGENT

I, FirstName LastName, currently residing at 111 Street Address, City, Louisiana 11111, name the following person as my agent:

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

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, Louisiana 11111
Phone: 1111111111

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

I choose not to name a second successor agent at this time.

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:

- _____ 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:

____ Make an inter vivos donation, either outright or to a new or existing trust or other custodial arrangement, and, when also expressly so provided, to impose such conditions on the donation, including, without limitation, the power to revoke, that are not contrary to the other express terms of this power of attorney

____ Accept or renounce a succession

____ Contract a loan, acknowledge or make remission of a debt, or become a surety

____ Draw or endorse promissory notes and negotiable instruments

____ Enter into a compromise or refer a matter to arbitration

____ Prevent or limit reasonable communication, visitation, or interaction between the principal and a relative by blood, adoption, or affinity within the third degree, or another individual who has a relationship based on or productive of strong affection

____ Alienate, acquire, encumber, or lease a thing

LIMITATION ON AGENT'S AUTHORITY

An agent that is not my ancestor, spouse, or descendant MAY use my property to benefit the agent or a person to whom the agent owes an obligation of support.

EFFECTIVE DATE

This power of attorney is effective if 2 physicians licensed in the state of Louisiana to practice medicine by the Louisiana State Board of Medical Examiners, or 1 physician licensed in the state of Louisiana to practice medicine by the Louisiana State Board of Medical Examiners and my agent, observe me and state in writing that I am “unable consistently to make or to communicate reasoned decisions regarding the care of my person or property.”

SPECIAL INSTRUCTIONS

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

Compensation. My attorney in fact is 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.

NOMINATION OF CURATOR

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

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

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, Louisiana 11111
1111111111
emailaddress@email.com

This document was signed or acknowledged in my presence on:

_____ (Date)
(Witness's signature)

(Witness's printed name)

Witness's address

Witness's telephone number

_____ (Date)
(Witness's signature)

(Witness's printed name)

Witness's address

Witness's telephone number

State of _____

Parish/County of _____

This document was signed or acknowledged in my presence on this _____ day of _____
_____, 20____, by FirstName LastName.

Signature of notary (Seal)

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) Your interdiction where a court determines you are no longer capable of making decisions about yourself or your property;
- (3) Qualification of the curator after the interdiction of the principal;
- (4) The principal's revocation of your authority or the power of attorney;
- (5) The occurrence of a termination event stated in the power of attorney;

(6) The purpose of the power of attorney is fully accomplished; or

(7) 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

Under LA Civ. Code Art. 3001, you are bound to fulfill your above designated duties with prudence and diligence. You are responsible for the loss that the principal sustains as a result of your failure to perform. If you 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.