

# My Power of Attorney is Complete — Now What?

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## **Where should I keep my Power of Attorney (POA)?**

You should keep your POA somewhere that is protected but with quick to access in an emergency. You can use the same place you keep other important papers. You should let your attorney know where to find your POA. You should NOT use a bank safety deposit box or a storage box or locker with a passcode only you know. You can keep an electronic copy, but banks and other institutions may insist on seeing the original signed copy.

## **Who should see my POA?**

You may wish to give copies of your POA to your attorneys, your family members, your bank or credit union, your primary care provider, and your long-term care home. If this POA is replacing an older one, anyone who has seen the original POA should know it has been cancelled and replaced.

## **How often should I update my POA?**

We suggest that you review your POA documents every few years to make sure that they are up to date and reflect your wishes. Here are some situations where changes might be needed:

- If you change your legal name
- If your attorney changes their legal name
- If your attorney dies
- If your attorney becomes unsuitable because of: mental incapacity or poor health; they move far away; they do not want to do the job anymore; or there is a falling out between you and them
- If you or your attorney moves out of the province — different areas have different laws about POAs

## **Can I make changes to my POA myself?**

Handwritten changes may create confusion, lead to disagreements, or invalidate the documents. If you need to make a change, we recommend doing a new POA. You can do a new POA yourself or get help from a lawyer. Please remember that your right to make changes is lost if you become mentally incapable.

## **What happens if I want to cancel my POA entirely?**

Doing a new POA will usually cancel the old POA. If you do not want a new POA, there is a formal process to cancel your POA. It must be done in writing with two witnesses. You may want to get help from a lawyer to cancel your POA to be sure it is done correctly. Please remember that your right to cancel your documents is lost if you become mentally incapable.

## **What happens if my POA is lost or destroyed?**

If you had help from a lawyer to do your POA, you can ask them if they kept an original. If all the original documents are lost, you will need to make new ones.