

There may come a time when you need to have someone transact business in your name on your behalf. A power of attorney (POA) is a legal document that lets the world know that you have given the individual named in the POA, the attorney-in-fact, the authority to act on your behalf to the extent authorized in the document. For the United States, there are two types of POA: general and special; however, there is no law requiring third parties to accept POAs. In fact, some business and institutions will accept a POA only if it is in a format prepared by them. Please check with the institution you intend to use your POA to verify their requirements.

General Powers of Attorney (GPOA):

A GPOA gives the named *attorney-in-fact* the authority to do nearly anything that the grantor could do. The grantor risks not only deliberate abuse, but also its misuse through the *attorney-in-fact*'s errors in judgment as well. The grantor should only choose a person he/she has **total confidence** in as his/her attorney-in-fact. Keep in mind that because it provides such *carte blanche* authority, many companies and organizations will not accept it, to include Security Forces, TMO, Housing, the IRS, and many banking institutions

Special Powers of Attorney (SPOA):

A special POA lists the particular transactions that the attorney-in-fact is authorized to do. A SPOA is less risky than a GPOA because it limits the *attorney-in-fact*. Since it is less risky, and because they show the grantor's intent that this particular transaction be accomplished by this *attorney-in-fact*, businesses and institutions more readily accept a SPOA than a GPOA.

Durable Powers of Attorney (DPOA):

Generally, a POA expires upon the death or incapacity of the grantor. However, the grantor may want a POA specifically for when the grantor is incapacitated. A Durable POA is either a general or special POA that survives the incapacity of the grantor. If the grantor has died, then POAs are invalid, and wills take effect. DPOAs are drafted by attorneys, and can be made effective immediately upon the grantor's incapacitation.

Create a Power of Attorney (POA) Worksheet on the Air Force Legal Assistance Website.

1. Go to <https://aflegalassistance.law.af.mil>.
2. Select LEGAL WORKSHEETS, then Create Power of Attorney (POA) Worksheet.
3. Choose from General, Financial Related, Personal Property, Real Estate & Housing, Automobiles, and Miscellaneous categories.
4. Select the hyperlink to the Power of Attorney that best suits your needs.

Step-by-Step Worksheet Process (abbreviated):

Step 1 – Complete the Worksheet

Step 2 – Retain the Ticket Number

Step 3 – Visit Legal Office

For **Family Care Plans**, decide on whether or not you would like the grantee (the person you appoint) to make travel arrangements for your child. If you do wish that person to travel with your children select **POWER OF ATTORNEY TO TRANSPORT CHILD**. This includes language for **In Loco Parentis** (act temporarily in place of parent and authorize medical care).

For **concession vehicles** (tax-free), **ONLY** service members, DOD civilians, and members of the U.S. Visiting Forces are entitled to control concession vehicles. This entitlement does not transfer to the spouse unless a hardship condition exists (e.g., the tax-free vehicle is the family's only vehicle or mode of transportation). Only entitled persons may control concession vehicles **AND** may not possess more than the number of entitled vehicles at one time. (Refer to Third Air Force Instruction 31-204 for more information.)

This handout is for basic information on topic covered as it relates to military personnel stationed in the United Kingdom. It is not intended to take the place of legal advice from a Judge Advocate. There may be important exceptions in some states to the information presented here. Please contact the Legal Office for questions and further information. You may view more information on various legal topics at the Air Force Legal Assistance website found at <https://aflegalassistance.law.af.mil>. Additionally, complete legal worksheets for Wills, Living Wills, Powers of Attorney (General, Special, and for Health Care), and access to the Online Survey are found on the Air Force Legal Assistance website.

Scan Below to Access the:

RAF Mildenhall Legal Office Website
www.mildenhall.af.mil/Info/Legal-Office



Legal Assistance Website
<https://aflegalassistance.law.af.mil>



Legal Assistance Information Series

POWERS OF ATTORNEY



Hours of Operation (Walk-ins)
Notary Public & Powers of Attorney
Monday – Friday: 800-1630 hrs

Legal Assistance
By Appointment Only

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