A power of attorney is an extremely useful tool that McKinney estate planning lawyers regularly use to safeguard their clients' physical and financial health. However, clients need to understand the duration of the power as well as its nature.

## Overview of a Power of Attorney

McKinney estate planning lawyers see a lot of confusion about powers of attorney. That may be because there are several different kinds of powers used for very different types of situations. Some of the confusion may also be because the term "power of attorney" can refer to both the power itself and the document creating that power.

In general, a power of attorney gives one person the authority to act on behalf of another person. Most of the time, a power of attorney is used to allow someone to make financial or decisions for another person who is incapacitated and unable to make or communicate decisions on their own.

## Limited Power of Attorney

A power of attorney may be general or limited with a defined set purpose. By its nature, a limited power of attorney is only meant to remain in force for a specified period, either until an event occurs or until a designated amount of time passes. For instance, a person might ask estate planning lawyers in McKinney to create a limited power of attorney granting authority to a loved one that allows them to act while that person is under anesthesia for surgery. When the anesthesia wears off, the power of attorney is no longer in force.

So, in answering the original question, a power of attorney will most definitely expire if it is a limited power of attorney. But for general powers of attorney, the answer is not as definitive.

## General Power of Attorney

A general power of attorney is meant to remain effective until expressly revoked or

until the death of the person creating the power. Therefore, it would seem that a general power of attorney, whether for financial matters or healthcare decisions, would not expire.

However, just because the power has not specifically expired does not mean that courts will enforce it or financial institutions will honor the terms. If a power of attorney was created some time ago, it may be considered outdated and no longer in accordance with the creator's intention. Accordingly,  our McKinney estate planning lawyers recommend updating general powers of attorney every three to five years or sooner if other estate planning documents are being amended or refreshed.

## Speak to Our Dedicated McKinney Estate Planning Lawyers to Learn How a Power of Attorney Can Help You Stay Prepared

No one can predict the future, but experienced McKinney estate planning lawyers can help you prepare for whatever lies ahead. Documents such as a power of attorney could allow trusted family or friends to manage your finances or make healthcare decisions on your behalf if you suddenly become unable to make or communicate those decisions on your own due to illness or injury.

Our estate planning team could also review your existing documents to ensure that they comply with current law and will stand up to scrutiny in court. For a consultation to learn more about how a power of attorney could protect your future, contact us now.