

# Dear Barbro!

with Barbro E. Stalbecker-Pountney  
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**I've been hearing a lot about the importance of having a "power of attorney". I'm a very independent person and really don't want another person to make my decisions for me. Isn't it just plain dangerous to give someone else those kind of powers?**  
—Free Spirited

**Dear Free Spirited:** We are living longer, but, in some cases, our mental abilities may not keep up with our physical health. For most of us, we'll be able to continue our own decision making, but for others, we may lose that ability. Whatever the cause, without a power of attorney in place, the decision maker will be chosen by others in accordance with legislation.

A person who does not assign powers of decision making to someone else, may find that just the opposite of what was intended happens. If you are mentally incapable of making a decision, without the proper documents in place, you will have little say as to who that will be and how those decisions are to be made.

There are two types of Powers of Attorney: Property, and Personal Care. A continuing Power of Attorney for Property is effective on the date that you execute it (unless specifically stated

otherwise). It can be used by your designee to do anything that you can do in respect of your property, except make a will. A Power of Attorney for Personal Care appoints a person to make decisions for you in respect of your health care, living arrangements, etc. Many people include provisions relating to their medical treatment when death is imminent and there is no hope for recovery (sometimes referred to as a "living will"). Unlike a Power of Attorney for Property, a Power of Attorney for Personal Care does not take effect, and cannot be used, until you are mentally incapable of making a decision.

In the case of either Powers of Attorney, the designee is required in so far as possible to make those decisions that you would have made for yourself had you been capable of doing so. You can continue to make those decisions yourself that you are capable of. So long as you are capable, you can revoke or change either document.

Isn't it better to decide now, while you are in control? ■

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