



DEPARTMENT OF THE ARMY  
HEADQUARTERS, 10TH REGIONAL SUPPORT GROUP  
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APTS-RSG-JA-LA

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MEMORANDUM FOR POWER OF ATTORNEY USERS

SUBJECT: **CAUTION!**—Required Reading before Making a General Power of Attorney

1. A power of attorney (POA) is a written instrument that allows you to authorize your agent to conduct certain business for you. It is one of the most powerful legal documents that you can give to another person. There are two types of POAs--general and special (or limited).

a. A general POA gives your agent very broad powers to act on your behalf. A special POA limits your agent's authority to act only on certain, listed matters. Every act performed by your agent within the authority of the POA is legally binding upon you. Since a POA is such a powerful document, give it only to a trustworthy person, limit the authority you grant that person, whenever possible, and only give a power of attorney when absolutely necessary.

b. Making a general power of attorney (GPOA) is an important action with serious consequences. Your GPOA gives someone else the legal authority to act on your behalf to do **anything** that you could do. With a GPOA, your agent can, for example, rent or buy a house with your money, borrow money that you must repay, sell your car, sue someone for you, or remove all funds from your bank account. Your agent can legally bind you. While a GPOA can be very helpful, it can also be a very dangerous legal instrument. Regarding using a GPOA:

(1) Limit the power you give away to only that necessary. If you need someone to perform only specific tasks for you, then you do not need a GPOA. In that case, get a special power of attorney that will authorize your agent to perform only those specific tasks. We can help you prepare one.

(2) Unless you are deploying, you should limit the duration of your power of attorney to no longer than 1 year or a shorter period. If you are deploying, you may want your power of attorney to last for the length of your deployment, plus three months. Don't set the expiration date longer than you will need your agent's services, and don't give the power of attorney before it will be needed.

(3) **Make sure that your agent is someone you can trust.** If you lose trust in your agent, talk with a legal assistance attorney about revoking your power of attorney.

(4) Don't hesitate to talk to a legal assistance attorney if you have any questions.

2. No person, company, or agency is required to accept a power of attorney. Even military agencies may refuse to accept the power of attorney. If you have specific

actions you need completed, you should insure ahead of time the person, company, or agency will accept and honor your power of attorney.

3. Military finance offices will honor powers of attorney only for the following purposes:

- a. With a special POA, a designated agent may obtain Treasury Checks for you.
- b. Your dependent appointed as your agent by POA may obtain your Leave and Earning Statements.
- c. An agent appointed under a POA may file a travel claim on your behalf.
- d. A special POA with specific language may be used to establish, change, or stop an allotment (a general POA may not be used for these purposes).
- e. A special POA may be used to change the financial institution to which payments are made.

4. Military finance offices will not honor any power of attorney for the following purposes:

- a. Payments to an agent for a mentally incompetent servicemember.
- b. Payments to an agent for a servicemember who is missing in action or interned.
- c. Release cash payments.

5. Finally, the decision to grant a POA is yours alone. Your chain of command cannot lawfully order you to grant someone a POA. You will be liable to the government for any debt incurred by your appointed agent under a POA. If you have any questions, please ask to speak to a legal assistance attorney.



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