



## OFFICE OF THE STAFF JUDGE ADVOCATE

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## POWERS OF ATTORNEY

A **Power of Attorney (POA)** is a written instrument that allows you (the “principal”) to authorize your agent (the “attorney-in-fact”) to conduct certain business on your behalf. It is one of the strongest legal documents that an individual can give to another person. The POA authorizes your agent to act on your behalf and to carry on your business in your absence. Acts performed by the agent and authorized by the Power of Attorney are legally binding on you. **Since a POA is such a powerful document, it should be given only to a trustworthy person, and only when absolutely necessary.** There are two types of Powers of Attorney: a General Power of Attorney (GPOA) and a Special Power of Attorney (SPOA).

**Note:** Third parties or institutions DO NOT have to accept or acknowledge your POA, it is within their discretion to do so. Some agencies, such as financial institutions, may prefer to use their own POAs. If applicable, you might want to contact the applicable agency to determine whether another POA may better serve your needs.

### General Power of Attorney

A **General Power of Attorney** gives your agent the right to act on your behalf for legal matters and/or business transactions you could do personally, including the right to sell your property and take out loans in your name for which you will be responsible. While a general POA may be helpful, it can also be risky. Consequently, a general POA should only be used when necessary and in most situations be limited in duration (generally to no more than one

year). You should always ensure that your agent is someone that you absolutely trust with all of your money and legal decisions. If you lose trust in your agent, consult a legal assistance attorney about revoking the GPOA. It’s important to remember that a general POA is so broad in nature that some agencies may refuse to recognize or accept them. This is particularly true for real estate transactions.

### General Durable Power of Attorney

A **General Durable POA** can give your agent the right to conduct your business transactions if you become incapacitated by an illness, such as a coma or stroke. This power of attorney remains effective even if you become incapacitated. The POAs produced by Air Force legal offices will include a durability clause unless you want it removed.

### Springing Power of Attorney

A **Springing POA** can give your agent the right to conduct your business transactions if you become incapacitated by an illness, such as a coma or stroke. In contrast to a durable POA, this power of attorney **ONLY** becomes effective upon your incapacity. You may revoke the POA when you are no longer incapacitated or the POA will be revoked upon your death. This document allows your agent to access your bank accounts, pay your bills and care for your property while you are unable. Without this document or joint accounts, your family would likely need to go to court to become your guardian in order to access your financial accounts.

**Note:** Certain military offices (Finance or Personnel offices) are unlikely to accept General Powers of Attorney due to a very broad range of powers granted to the individual you choose to act in your name (the grantee).

*Current as of 25 August 2022*

## Special Power of Attorneys

### **Access Bank Accounts**

Allows another person complete access to your bank accounts, including the ability to withdraw funds and close the account.

### **Start Allotment**

Allows another person to start an allotment from your military pay for a specified amount.

### **Change Allotment**

Allows another person to change your existing allotment(s) to a new amount.

### **Stop Allotment**

Allows another person to stop your existing allotment(s).

### **Bank Loan to Purchase**

Allows another person to sign for a bank loan on your behalf for a particular purpose.

### **Execute VA Loan**

Allows another person to sign VA Housing Loan paperwork on your behalf.

### **Finance (ALL)**

Allows another person to act on your behalf for all matters at any Military Finance Office.

### **Finance (Pay Inquiry Only)**

Allows another person to make a pay inquiry at any Military Finance Office.

### **Stocks and Mutual Funds**

Allows another person to buy and sell shares of your stock and mutual fund shares.

### **Thrift Savings Plan (TSP)**

Allows another person to manage your Thrift Savings Plan Account, including to start, stop, or change your contributions.

### **Taxes**

Allows another person to file income and all other tax returns and handle other tax-related matters.

### **Claims Property**

Allows another person to sign documents affecting care, maintenance, shipment, and repair of your personal property.

### **Receive Household Goods from TMO**

Allows another person to receive your household goods from the military Travel Management Office.

### **Ship Household Goods from TMO**

Allows another person to ship your household goods through the military Travel Management Office.

### **Clear Quarters and Start BAH**

Allows another person to vacate your military housing and start BAH payments.

### **Procure Rental or Leased Quarters**

Allows another person to rent/lease housing on your behalf.

### **Sell Land**

Allows another person to sell your unimproved land.

### **Sell House**

Allows another person to sell your improved land, such as land that contains a house.

### **Purchase House**

Allows another person to purchase a house on your behalf.

### **House Sitting**

Allows another person to take appropriate action to maintain your real property (land).

### **Sign for Base Housing**

Allows another person to sign for your assigned military housing.

### **Legal Action with Regards to Lease**

Allows another person to take legal action related to leased property on your behalf.

### **Manage (Rental) Property**

Allows another person to manage your rental property.

### **Operate Privately Owned Vehicle (POV)**

Allows another person to operate your vehicle.

### **Pick up POV at Port**

Allows another person to accept and operate your vehicle at designated military vehicle processing centers.

**Purchase a POV**

Allows another person to purchase a vehicle on your behalf.

**Register POV**

Allows another person to register, operate, and insure your vehicle with the state DMV and pass and ID office.

**Sell POV**

Allows another person to sell your vehicle on your behalf.

**Ship POV**

Allows another person to operate and ship your Vehicle through designated military vehicle processing centers.

**In Loco Parentis**

Allows another person(s) to act temporarily in place of the parents. (Includes medical care, transport of child(ren), education, etc.)

**Accept Mail**

Allows another person to sign for and accept your mail, including delivery carriers such as UPS and Fed EX.

**Medical Care**

Allows another person to authorize medical care for your minor children on your behalf.

**Copies of Medical Records**

Allows another person to receive copies of your medical records at military treatment facilities.

**MPF ID Cards**

Allows another person to obtain a dependent ID card(s) under your sponsorship.

**MPF and Finance**

Allows another person to obtain dependent ID card(s) and to stop, start, or change an allotment.

**Pick-up Mail**

Allows another person to pick up your US Mail from the Post Office.

**College Registration**

Allows another person to register you for college, including securing tuition assistance.

**Obtain Tuition Assistance**

Allows another person to execute documents required to obtain tuition assistance from the base education office.

**Transport Child**

Allows another person to transport your child(ren) to a designated location.

**Veterinary - Medical**

Allows another person to direct medical care for your pet.

**Veterinary - Sleep**

Allows another person to authorize a veterinarian to euthanize (put to sleep) your pet.

**Note:** If you need a Special Power of Attorney that was not listed, please stop by the Legal Office, where they can advise you about, and prepare for you, the appropriate POA needed for your situation.

Go To the Air Force Legal Assistance Website Prior To Your Next Visit:

**<https://aflegalassistance.law.af.mil>**

**Notary/POA Services Available Daily:**

Monday, Tuesday & Thursday 0730 – 1630

Wednesday 0900 - 1630

Friday 1000 - 1630

*The material in this handout represents general legal advice. The law is continually changing; although the information in the handout was current as of the date it was drafted, some provisions in this pamphlet may have changed. It is always best to consult an attorney about your legal rights and responsibilities regarding your particular case.*