



Total Legal Guidelines for Executing your Massachusetts Financial Durable Power of Attorney

Items Included in your Download

- 1) Your Financial Durable Power of Attorney. The length of this document can be up to fifteen pages depending on which powers you are granting your “Attorney-in-Fact” (also referred to as your “Agent”). The final two pages of your Power of Attorney are the last numbered pages of the download and contain spaces for your signature and the signatures of your witnesses.

Requirements for signing (executing) a Valid Financial Durable Power of Attorney

Massachusetts has certain requirements and formalities that must be followed to properly sign a Financial Durable Power of Attorney:

- 1 The first most basic requirement of a valid Durable Power of Attorney is that it must be in writing.
- 2 The next requirement is that the Principal (the person creating the Financial Durable Power of Attorney) must sign it with the intent of creating a valid Power of Attorney. Ideally, you should sign your full legal name the same way it would appear on other legal documents. If you are unable to sign your document, we suggest you consult with a local attorney about properly executing your Power of Attorney.
- 3 Massachusetts requires that a Notary Public witness the signing of the document.

Witnesses

Massachusetts does not require another witness other than the Notary Public. The Notary Public does not need to read the entire Power of Attorney, but should read and complete the section preceding his or her signature.

Financial Durable Power of Attorney Signing Ceremony

It is important that these steps be performed in the following order:

- 1 Prepare by printing the entire Financial Durable Power of Attorney.
- 2 Bring your unsigned Power of Attorney to a Notary Public.
- 3 State in a voice that is clearly audible that you declare this (the unsigned document) to be your Financial Durable Power of Attorney and that you are asking the person present to act as witness to the Financial Durable Power of Attorney and to your signature.
- 4 Initial and date each page of the Power of Attorney in the spaces provided at the lower right hand corner of each page. Enter your Social Security Number and the date on the signature page of the document.
- 5 Sign the Financial Durable Power of Attorney in the space provided on the last page of the document above the line “<Your Name>, Principal” in full view of the Notary Public.

6 The Notary Public then signs the document and affixes his or her seal.

Sign only one copy of the Financial Durable Power of Attorney.

After the Ceremony

After the Financial Durable Power of Attorney is signed, it should be placed in a safe place known to others. You may make photocopies available to select people such as your Attorney-in-Fact (Agent). Your Agent should also have access to the original document, as some financial institutions may require proof of the original document before allowing your Agent to act on your behalf.