

Get a Medical and a Financial POA

[Or else...]

If you reside in Michigan and become incapacitated without having established a Medical Power of Attorney (POA) or a Financial POA, your loved ones may face significant legal and logistical challenges in managing your healthcare and financial affairs.

? Without a Medical Power of Attorney

In Michigan, a Medical POA—also known as a Durable Power of Attorney for Health Care or Patient Advocate Designation—allows you to appoint someone to make healthcare decisions on your behalf if you're unable to do so. Without this document:

- **Court Intervention:** A probate court may need to appoint a guardian to make medical decisions for you. This process can be time-consuming and costly, and the appointed guardian may not be the person you would have chosen.
 - **Default Decision-Making:** Healthcare providers may rely on Michigan's default hierarchy for decision-making, typically starting with your spouse, then adult children, and so on. This may not align with your personal preferences.
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? Without a Financial Power of Attorney

A Financial POA enables a trusted individual to manage your financial matters if you become incapacitated. Without it:

- **Conservatorship Proceedings:** Your family may need to petition the probate court to appoint a conservator to handle your financial affairs. This process can be expensive and may result in someone being appointed whom you wouldn't have chosen.
 - **Limited Authority:** The appointed conservator may face restrictions in managing your assets, potentially hindering actions like asset protection or specific financial decisions you would have preferred.
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✓ **Steps to Take**

To avoid these complications, consider the following:

- **Establish a Medical POA: Designate a patient advocate to make healthcare decisions on your behalf.**
- **Create a Financial POA: Appoint someone to manage your financial affairs if you're unable to do so.**

These documents ensure that your preferences are respected and can prevent unnecessary legal proceedings.

If you need assistance drafting these documents or have further questions, consulting with an estate planning attorney in Michigan is advisable.