

INSTRUCTIONS FOR COMPLETING THE NEBRASKA POWER OF ATTORNEY

IMPORTANT:

Read *all* parts of the Power of Attorney Form before you fill it out and sign it.

If you are printing the Power of Attorney and handwriting the answers, you will check the first box. If you are typing in your answers, you will check the second box.

- Printing the form and handwriting the answers.
- Completing the form electronically.

DESIGNATION OF AGENT

- a. You, the person giving power of attorney authority to another, are the “principal.” Place your full name in the blank after “I” and before (*your name*).
- b. Your agent is the person to whom you are giving power of attorney authority. Place your agent’s full name, address, and telephone number on the lines as indicated.

a. **DESIGNATION OF AGENT**
I _____ (*your name*) name the following person as my agent (individual with power of attorney):

b. Agent: _____
Address: _____
Telephone Number: _____

DESIGNATION OF SUCCESSOR AGENT(S)

A successor agent can be appointed to act in case the original agent is unable to act for you.

- c. This is an **optional** section. If you **do not** want to appoint a successor or second successor agent, enter “N/A” or “Not Applicable” in the blanks.
- d. If you would like to name a successor agent, place the full name, address, and telephone number of the successor agent on the lines as indicated.
- e. If you would like to name a second successor agent (in case you successor agent is unable to act for you), place the full name, address, and telephone number of the successor agent on the lines as indicated.

c. **DESIGNATION OF SUCCESSOR AGENT(S) (OPTIONAL)**
If my agent is unable or unwilling to act for me, I name as my successor agent:
Name of Successor Agent: _____
Address: _____
Telephone Number: _____

d. If my successor agent is unable or unwilling to act for me, I name as my second successor agent (OPTIONAL):
Name of Second Successor Agent: _____
Address: _____
Telephone Number: _____

GRANT OF GENERAL AUTHORITY

If you would like to give your agent power to act on your behalf with regard to **only certain subjects**:

- f. Check the box next to either “yes” or “no” on EVERY subject.
- g. Check the “no” box on the last line for “All Preceding Subjects”,
- h. Initial on the line provided on EVERY subject.

GRANT OF GENERAL AUTHORITY

Check one: Initials:

Yes No _____ Real Property

Yes No _____ Tangible Personal Property

Yes No _____ Stocks and Bonds

Yes No _____ Commodities and Options

Yes No _____ Banks and Other Financial Insti

Yes No _____ Operation of Entity or Business

Yes No _____ Insurance and Annuities

Yes No _____ All Preceding Subjects (includes all items listed above)

If you would like your agent to have power to act on your behalf with regard to **ALL** the subjects listed:

- i. Check the “yes” box next to the “All Preceding Subjects” line (last line in the section),
- j. Initial on the line provided on **only** that subject line.

Yes No _____ All Preceding Subjects (includes all items listed above)

A brief explanation of the subjects are listed below, however, for a full definition of each subject, please see [Nebraska Revised Statutes Chapter 30-4027 through Chapter 30-4040](#).

REAL PROPERTY generally includes land and structures attached to land (for a full definition, please see [Nebraska Revised Statutes Chapter 30-4027](#)).

TANGIBLE PERSONAL PROPERTY generally includes property which can be physically identified and transferred (for a full definition, please see [Nebraska Revised Statutes Chapter 30-4028](#)).

STOCKS AND BONDS generally do not include commodity futures contracts and call or put options on stocks or stock indexes (for a full definition, please see [Nebraska Revised Statutes Chapter 30-4029](#)).

COMMODITIES AND OPTIONS generally do not include stocks and bonds (for a full definition, please see [Nebraska Revised Statutes Chapter 30-4030](#)).

BANKS AND OTHER FINANCIAL INSTITUTIONS generally include trusts, savings and loans, credit unions, and brokerage institutions (for a full definition, please see [Nebraska Revised Statutes Chapter 30-4031](#)).

OPERATION OF AN ENTITY OR BUSINESS generally includes contracts, insurance payments, collections, and tax responsibilities (for a full definition, please see [Nebraska Revised Statutes Chapter 30-4032](#)).

INSURANCE AND ANNUITIES generally includes rights regarding benefits and responsibilities for premiums (for a full definition, please see [Nebraska Revised Statutes Chapter 30-4033](#)).

ESTATES, TRUSTS, OR OTHER BENEFICIAL INTERESTS generally include guardianships and conservatorships (for a full definition, please see [Nebraska Revised Statutes Chapter 30-4034](#)).

CLAIMS AND LITIGATION generally includes asserting and maintaining a claim before a court or administrative agency (for a full definition, please see [Nebraska Revised Statutes Chapter 30-4035](#)).

PERSONAL AND FAMILY MAINTENANCE generally includes maintaining the customary standard of living of the principal and principal's family (for a full definition, please see [Nebraska Revised Statutes Chapter 30-4036](#)).

BENEFITS FROM GOVERNMENTAL PROGRAMS OR CIVIL OR MILITARY SERVICE generally includes some retirement accounts (for a full definition, please see [Nebraska Revised Statutes Chapter 30-4037](#)).

RETIREMENT PLANS generally excludes certain benefits from governmental programs or civil military service (for a full definition, please see [Nebraska Revised Statutes Chapter 30-4038](#)).

TAXES generally include federal, state, local, foreign income, gift, payroll, property, Federal Insurance Contributions Act, and other taxes (for a full definition, please see [Nebraska Revised Statutes Chapter 30-4039](#)).

GRANT OF SPECIFIC AUTHORITY (OPTIONAL)

This is an **optional** section. **Unless you check the "yes" box next to any of the statements, and initial on the lines provided, your agent will NOT have that authority.** In other words, in order to grant an authority to your agent under this section, you must check the "yes" box and initial on the line provided for each authority you wish to give your agent.

You may give your agent power to perform specific acts. Such acts could significantly reduce your property or change how your property is distributed at your death. To give your agent power to perform a specific act,

- k. Check the "yes" or "no" box next to EVERY specific authority.
- l. Initial the line next to EVERY specific act you would like to give your agent power to perform.

GRANT OF SPECIFIC AUTHORITY (OPTIONAL)

Check one:	Initials:	
<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	Create, amend, revoke, or terminate an inter vivos trust
<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	Make a gift, subject to the limitations of the Nebraska Uniform Power of Attorney Act and any special instructions in this power of attorney
<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	Create or change rights of survivorship
<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	Create or change a beneficiary designation

SPECIAL INSTRUCTIONS

This is an **optional** section. If you do **not** want to include any special instructions, enter "N/A" or "Not Applicable" in the blank.

You may have special instructions which are not provided for by the form. If you have such special instructions:

- m. Write them on the lines contained in the "Special Instructions" section. This is the section you can use to name co-agents (please see [Selecting More Than One Agent](#)).

SPECIAL INSTRUCTIONS (OPTIONAL)

You may give special instructions on the following lines:

NOMINATION OF A CONSERVATOR AND/OR GUARDIAN

This is an **optional** section. If you do **not** want to nominate a guardian and/or conservator for yourself, enter **“N/A”** or **“Not Applicable”** in the blanks.

Conservator: You can select who you would like a court to appoint (designate) as a conservator of your estate (someone who handles the finances concerning your possessions) if it becomes necessary for a court to do so.

- n. Fill out the name, address, and telephone number for the person you would like to be conservator of your estate on the lines indicated.

If it becomes necessary for a court to appoint a conservator of my estate, I nominate the following person(s) for appointment:

n. Name of nominee for conservator of my estate: _____

Address: _____

Telephone Number: _____

Guardian: You can select who you would want a court to appoint (designate) as guardian of your person (someone who handles non-financial decisions for you) if it becomes necessary for a court to do so.

- o. Fill out the name, address, and telephone number for the person you would like to be your guardian on the lines indicated.

If it becomes necessary for a court to appoint a guardian of my person, I nominate the following person(s) for appointment:

o. Name of nominee for guardian of my person: _____

Address: _____

Telephone Number: _____

Nominating a guardian and/or conservator does not guarantee they will be appointed by the court. But it does let the court know who you prefer. There are specific requirements that each guardian and/or conservator must meet prior to being appointed. [Uniform County Court Rules of Practice and Procedure. § 6-1449.](#)

SIGNATURE AND ACKNOWLEDGMENT

The General Power of Attorney form must be signed in the presence of a notary to be valid. Do NOT sign the document UNTIL A NOTARY IS PRESENT AND WITNESSES YOU SIGNING THE DOCUMENT. Be sure to include the date you signed the document.

(CAUTION: This document MUST be signed IN THE PRESENCE of a notary to comply with the Nebraska Uniform Power of Attorney Act)

Your Signature

Date

Your Name Printed

Your Address

Your Telephone Number

NOTARY
State of Nebraska)
[County] of _____) ss.

This document was acknowledged before me on _____ (Date)
by _____ (Name of Principal)

Signature of Notary (Seal, if any)

My commission expires: _____

WHAT TO DO WITH THE COMPLETED GENERAL POWER OF ATTORNEY FORM

Power of Attorney forms do not have to be filed with a court; however, it is very important to keep the form in a secure place where it will not be damaged. You should give a copy of the notarized power of attorney to your agent. Additionally, it is very important that all people involved with the power of attorney form are aware of the location of the form, for future reference.

NOTE: Every power of attorney ends immediately upon death of the principal.