

Conference on Aging

You Want Me to Do What?

The Roles of POAs, Guardians, and Executors

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Quick Reference Information

If You are the Person Signing Legal Documents Naming a Fiduciary:

- Remember that person/entity designated must act in your best interest
- Always talk to the person(s) you want to designate before and after you sign your legal documents naming them; give them the chance to ask questions
- When you sign a General Durable Power of Attorney or Health Care Advance Directive, provide a copy to the person/entity designated
- Consult with an attorney about these roles and the options available - there is no "one size fits all" legal document

If You are the Person/Entity Named to Serve in a Legal Document as Fiduciary:

- Make sure you have a copy of the legal document naming you
- Consult with an attorney about your duties
- Retain legal counsel to represent you if you are acting as a Guardian or Personal Representative
- Keep good records of all actions you take
- Get Court approval as needed if Guardian or Personal Representative

Additional Resources:

- Area 10 Agency on Aging <https://area10agency.org/> 812-876-3383
- Indiana Agencies on Aging <https://www.in.gov/fssa/da/area-agencies-on-aging/>
- National Academy of Elder Law Attorneys, Attorney Directory by state <https://naela.org//>

Health Care Decision Resources:

- Prepare for Your Care <https://prepareforyourcare.org/en/welcome>
- Five Wishes <https://fivewishes.org/>
- Respecting Choices <https://respectingchoices.org/>
- The Indiana Patient Preferences Coalition <https://www.indianapost.org/>

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