

# POWER OF ATTORNEY

*Exploring Alternatives to Guardianship*



## WHAT IS A POWER OF ATTORNEY?

For people with developmental disabilities, a Power of Attorney (POA) is a legal paper that lets them choose someone they trust to help make decisions or take actions for them. The person with the disability is still in charge and can decide what kinds of help they want. The POA is meant to give support without taking away the person's ability to make their own choices.

## WHO CAN BE A DESIGNATED POWER OF ATTORNEY?

In Hawai'i, anyone who is at least 18 years old and able to make decisions can be your POA.

## WHY CHOSE A POWER OF ATTORNEY?

1. **Stay Independent:** A POA helps individuals stay in charge by choosing someone they trust to assist with decisions, like managing money or health care, while still making their own choices.
2. **More Flexibility:** They can decide what kinds of help they need and change or cancel the POA if their needs change, as long as they understand what they're doing.
3. **Less Restrictive:** A POA is less strict than guardianship, which can take away a person's right to make decisions. With a POA, they keep their rights but have support when needed.
4. **Feel Empowered:** Choosing a POA means they are in control of how they get help, making it a positive way to get support while still being respected and heard.

## SUPPORTIVE APPROACH

1. **Doesn't Take Away Rights:** The person still keeps their right to make their own choices. The POA only gives someone permission to help or act for them in specific ways.
2. **Person Centered:** The individual can decide how much power to give to the person they choose. They can make it very specific or let that person have broader authority to make different decisions for them.
3. **Can Be Canceled:** The person can stop or change the POA at any time if they are able to understand what they're doing.
4. **Must Follow the Person's Wishes:** The helper has to respect what the person wants and can't make them do something they don't agree with.

## HOW TO BECOME A POWER OF ATTORNEY?

1. **Have a Conversation:** Make sure the person understands and agrees to give you the authority to help them with certain decisions.
2. **Choose the Right POA:** Decide if they need help with finances, medical decisions, or something specific. Pick the type that fits their needs, like a Medical POA for health decisions.
3. **Fill Out a POA Form:** Get the right form for your state, either from a lawyer or online.
4. **Sign the Form and get it notarized:** The person must sign the document in front of a notary or witnesses, depending on state laws.

Please scan the QR code to view a POA template



## CONTACT

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