

Table of Contents

Power of Attorney In Missouri



In Missouri, a Power of Attorney (POA) is a legal document that allows you to appoint someone (an agent) to act on your behalf in financial and/or healthcare matters. Missouri recognizes both general and durable powers of attorney, with the latter remaining in effect even if the principal becomes incapacitated. A healthcare power of attorney allows you to designate someone to make medical decisions for you if you are unable to do so.

Key Aspects of Power of Attorney in Missouri:

[General vs. Durable:](#)

A general POA terminates when the principal becomes incapacitated, while a durable POA continues to be valid.

[Healthcare Power of Attorney:](#)

This document, often combined with a healthcare directive, allows you to specify your wishes regarding medical treatment and appoint someone to make decisions if you are unable to.

Signing Requirements:

In Missouri, a medical power of attorney must be signed in the presence of a notary public and two witnesses.

Agent's Duties:

An agent has a fiduciary duty to act in the best interests of the principal.

Springing POA:

A springing POA only takes effect upon the occurrence of a specific event, such as a medical condition.

Notarization:

While a durable POA does not need to be recorded to be valid (except for real estate transactions), notarization is often required for various types of POAs.

Customization:

Powers of attorney can be customized to fit the specific needs of the principal.

Revocation:

A power of attorney can be revoked by the principal at any time, as long as they are competent.

No Duty to Act:

An agent is not obligated to act on behalf of the principal unless they have specifically agreed to do so in writing.

In Missouri, a power of attorney can be used for a variety of purposes, including:

Real estate transactions

Banking and financial transactions

Retirement plan transactions

Stock, bond, and other securities transactions

Business operations

Government benefits

Tax matters

Personal and family maintenance

Making medical decisions

To create a power of attorney in Missouri, you should:

1. Determine the type of POA needed:

Decide whether you need a general or durable POA, and whether you need a healthcare POA.

2. Choose an agent:

Select someone you trust to act on your behalf.

3. Complete the POA form:

Use a form from a reputable source, such as the Missouri Bar or a legal professional.

4. Sign and notarize the document:

Make sure to sign the document in the presence of a notary public and two witnesses.

5. Distribute copies:

Provide copies of the signed document to your agent and any relevant third parties.

By understanding the different types of powers of attorney and their requirements in Missouri, you can ensure that your wishes are respected and your affairs are handled properly.

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Table of Contents

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