

## New Michigan Power of Attorney Law Effective July 1, 2024

On July 1, 2024, Michigan's Uniform Power of Attorney Act went into effect (MCL 556.201 to MCL 556.505).

### What You Need to Know:

#### Financial Powers of Attorney Are Now Automatically "Durable"

A power of attorney signed on or after July 1, 2024 is "durable" unless the document specifically states otherwise. This means it remains valid even if the person who created it becomes unable to make decisions (MCL 556.204).

#### Legal Requirement: Accepting Powers of Attorney

When someone shows you an English language notarized power of attorney with the agent's signed acceptance form, you generally must accept the power of attorney within 7 days (MCL 556.220(1)). You cannot require the person to use a different power of attorney form (MCL 556.220(1)(a)).

#### Limited Reasons for Refusal

You may refuse a power of attorney only in specific situations, such as when you have gotten notice that it was canceled by the principal. For a complete list of permitted reasons for refusal, see MCL 556.220(3).

#### What if I Have Questions about What the Power of Attorney Allows?

Within 7 days, you can ask your lawyer to review the document and give their opinion about what it allows (MCL 556.219(4)(c)). Alternatively, you can ask the agent themselves or the lawyer who made the document (if there is one) to give a certified statement under penalty of perjury on any factual matter involving the power of attorney (MCL 556.219(4)(a)).

#### Consequences of Wrongful Refusal

If you refuse to accept a valid power of attorney without good reason, the person who created it can take legal action. If they win, you may have to pay their attorney fees and court costs (MCL 556.220(4)).

**For more information** on financial powers of attorney, visit [www.MichiganLegalHelp.org/resources/wills-and-life-planning/making-power-of-attorney-legal-and-financial-decisions](http://www.MichiganLegalHelp.org/resources/wills-and-life-planning/making-power-of-attorney-legal-and-financial-decisions) **or scan the QR code to the right.**

