

Power of Attorney Guidelines



A Power of Attorney (POA) is a legal document that may be established by an individual (referred to hereafter as "Principal") to ensure their financial affairs will be managed should the Principal be unavailable or something unforeseen occurs. The person or organization appointed by the Principal is referred to as an "Attorney-in-Fact" or "Agent." A POA may be established to cover such situations as illness, physical absence, or incompetence.

Common POAs:

- **General Power of Attorney** – Generally less restrictive, is effective immediately
- **Durable Power of Attorney – May** contain the following conditions:
 - Effective immediately and continues even if the Principal becomes incompetent.
 - **Not effective** unless the Principal becomes incompetent.
 - Agent must produce certification from two (2) licensed physicians verifying the Principal's incompetence.
 - MSUFCU will not accept a POA with these conditions **until** the Principal becomes incompetent and the Agent produces the appropriate medical confirmations.

MSUFCU will only accept POAs that are in effect and provide financial authorization as determined by MSUFCU in its sole discretion. Some examples of financial authorization are:

- Performing transactions with credit unions, banks, or other financial institutions
- Buying, selling, paying taxes on real property
- Investing in stocks, bonds, and mutual funds
- Managing retirement accounts

MSUFCU requires all of the following documents to establish a POA account:

- Complete copy of the notarized POA with member signature, including signed Agent Acceptance page if POA document is signed and dated October 1, 2012, or later. Principal's signature must be verified by MSUFCU.
- Power of Attorney Affidavit signed by the POA Agent

Agent Restrictions:

- An agent may not add themselves as a joint owner or beneficiary on the Principal's existing account.
- An agent may not perform any transactions on the Principal's IRA/HSA or Trust account unless that authority is specifically authorized in the POA.
- An agent may not divert the Principal's funds to themselves.
- Agent may only deposit items on behalf of the Principal into an account that is owned or jointly owned by the Principal.

POA becomes void when:

- The Principal terminates the POA agreement.
 - **MSUFCU requires a written Revocation of POA by the Principal before MSUFCU will discontinue honoring a previously accepted POA.**
- The POA expires according to its terms.
- The Principal is deceased.

Transactions on a Checking Account:

- Checks should be endorsed as follows: Principal's name, Agent's signature, POA.
- Visa Debit Card will expire upon notification of Principal's death or upon revocation of POA.
- Visa Debit Card will be printed with Agent's name but the checking account will be in the Principal's name and the Principal will be liable for all debit card transactions.

Contact MSUFCU with any questions:

- Online: msufcu.org
- By phone: 517-333-2424 or 800-678-4968
- Any MSUFCU branches

