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First Choice Mobile Notary & Apostille
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How to Complete Your Florida Durable Power of Attorney

Durable Power of Attorney (Chapter 709, Part II, Florida Statutes)

INSTRUCTIONS — KEEP FOR YOUR RECORDS. DO NOT ATTACH THIS PAGE TO YOUR DOCUMENT.

About this form. This form lets you name someone (your "agent") to handle your **financial and legal affairs**. It is **durable**, meaning it stays in effect if you later become incapacitated, and it takes effect as soon as it is properly signed. It does **not** cover medical decisions. For health care, use a Florida Designation of Health Care Surrogate.

1. **Fill in the names (Section 1)**
   Enter your full legal name and address, then the name and address of the person you are appointing as your agent. You may also name a successor agent to serve if your first agent cannot. Your agent must be 18 or older.
2. **Initial the general powers (Section 3)**
   Initial the box next to each power you want to give your agent, or initial line (P) to grant all of them. Leave a box blank to withhold that power. Initials must be handwritten in ink.
3. **Initial each special power separately (Section 4)**
   Florida law requires you to initial next to each of these powers individually, such as making gifts or changing beneficiaries. Line (P) does not cover them. Leave any you do not want blank.
4. **Special instructions and compensation (Sections 5–6)**
   Use the special instructions only to limit or add to the powers. If you are unsure what to write, speak with an attorney.
5. **Sign in front of two witnesses and a notary (Section 8)**
   Do not sign or date the form ahead of time. Florida requires your signature, two adult witnesses, and a notary. Your agent should not serve as a witness. First Choice can provide witnesses for an additional fee.
6. **Bring identification**
   Bring a current, government-issued photo ID, such as a driver license, state ID, or passport. The notary completes the acknowledgment at the end of the form.

After It's Signed

- Give your agent the original (or a copy) and keep a copy for yourself. Under Florida law, a photocopy or electronic copy has the same effect as the original.
- If your agent will handle real estate, the power of attorney is usually recorded with the Clerk of the Circuit Court in the county where the property is located.
- Banks and title companies may ask your agent to sign a sworn Agent's Affidavit confirming the power of attorney is still in effect. We have a free form for this.
- To revoke it later, do so in writing, and notify your agent and any bank or institution that has a copy.
- For use in another country, the notarized document may need an apostille from the Florida Department of State. We can handle this for you.

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Have questions about this document? To consult with an attorney, contact **Gavrilov & Brooks Law Firm** at **(916) 504-0529** or **www.gavrilovlaw.com**. Main headquarters: 2315 Capitol Avenue, Sacramento, CA 95816.

This form is provided as a free convenience. First Choice Mobile Notary & Apostille is not a law firm, and a notary public who is not an attorney cannot give legal advice or help you decide what to write on this form. These instructions are general information only and are not legal advice. If you have questions about your situation, consult a licensed Florida attorney. © 2026 First Choice Mobile Notary & Apostille. All rights reserved. This form may be filled in and printed for personal use; it may not be copied, altered, or redistributed for commercial purposes.

This instrument was prepared by and, after recording, return to:

Name

Street address

City, state, ZIP

Space reserved for the Clerk of the Circuit Court

DURABLE POWER OF ATTORNEY

(Florida Power of Attorney Act, Chapter 709, Part II, Florida Statutes)

NOTICE: THE POWERS GRANTED BY THIS DOCUMENT ARE BROAD AND SWEEPING. YOUR AGENT WILL BE ABLE TO ACT FOR YOU WITH RESPECT TO YOUR PROPERTY AND FINANCES WITHOUT FURTHER NOTICE TO YOU. THIS DOCUMENT TAKES EFFECT WHEN SIGNED AND CONTINUES EVEN IF YOU LATER BECOME INCAPACITATED. IT DOES NOT AUTHORIZE ANYONE TO MAKE HEALTH CARE DECISIONS FOR YOU. YOU MAY REVOKE THIS POWER OF ATTORNEY AT ANY TIME WHILE YOU ARE COMPETENT. IF YOU HAVE QUESTIONS ABOUT THESE POWERS, OBTAIN COMPETENT LEGAL ADVICE.

1. PRINCIPAL

Full legal name of principal

Date of birth (optional)

Street address

City

State

ZIP

County of residence

2. AGENT

I appoint the following person as my agent (attorney in fact) to act for me in any lawful way with respect to the powers I grant below:

Full name of agent

Telephone

Address (street, city, state, ZIP)

Principal's initials: _____

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If my agent dies, resigns, becomes incapacitated, is not qualified to serve, or declines to serve, I appoint the following person as my successor agent:

Full name of successor agent (optional)

Telephone

Address (street, city, state, ZIP)

DURABILITY. This durable power of attorney is not terminated by subsequent incapacity of the principal except as provided in chapter 709, Florida Statutes. This power of attorney is effective immediately upon execution and continues until it is revoked or terminated as provided in chapter 709, Florida Statutes.

3. GENERAL POWERS

TO GRANT ALL OF THE FOLLOWING GENERAL POWERS, INITIAL LINE (P) AND IGNORE THE OTHER LINES. TO GRANT ONE OR MORE, BUT FEWER THAN ALL, INITIAL THE LINE IN FRONT OF EACH POWER YOU ARE GRANTING. TO WITHHOLD A POWER, DO NOT INITIAL ITS LINE.

☐ **(A) Real property.** Buy, sell, convey, lease, mortgage, refinance, manage, insure, and maintain real property, including my homestead, and sign deeds and closing documents, subject to any spousal joinder required by Florida law.

☐ **(B) Banking and financial institutions.** Open, close, and manage accounts, deposit and withdraw funds, sign and endorse checks, and conduct banking transactions as described in section 709.2208(1), Florida Statutes.

☐ **(C) Investments.** Buy, sell, and manage stocks, bonds, mutual funds, and other securities and brokerage accounts, as described in section 709.2208(2), Florida Statutes.

☐ **(D) Personal property and vehicles.** Buy, sell, title, register, insure, and manage tangible personal property, including motor vehicles, vessels, and mobile homes.

☐ **(E) Business operations.** Operate, manage, buy, sell, or dissolve any business interest, and vote ownership interests in any entity.

☐ **(F) Insurance and annuities.** Buy, maintain, pay premiums on, borrow against, and collect on insurance policies and annuities.

☐ **(G) Retirement plans.** Manage, contribute to, roll over, and take distributions from retirement plans and accounts.

☐ **(H) Taxes.** Prepare, sign, and file federal, state, and local tax returns, pay taxes, claim refunds, and represent me before taxing authorities.

☐ **(I) Government benefits.** Apply for, collect, and manage Social Security, Medicare, Medicaid, veterans', and other government or military benefits.

☐ **(J) Claims and litigation.** Assert, defend, settle, and compromise claims and lawsuits, and hire attorneys and other professionals.

☐ **(K) Personal and family maintenance.** Pay my bills and support me and the persons I am legally obligated to support, at my customary standard of living.

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☐ **(L) Estates, trusts, and beneficiary interests.** Accept, receive, and receipt for distributions from estates, trusts, and other interests, without the special powers in Section 4.

☐ **(M) Safe deposit boxes and mail.** Access safe deposit boxes and receive, open, and forward my mail.

☐ **(N) Digital assets and records.** Access and manage my digital assets and electronic records to the extent permitted by chapter 740, Florida Statutes.

☐ **(O) Professionals.** Hire, pay, and discharge accountants, attorneys, financial advisers, and other agents to assist with my affairs.

☐ **(P) ALL OF THE GENERAL POWERS LISTED ABOVE.** You need not initial any other line in Section 3 if you initial line (P). Line (P) does not grant the special powers in Section 4.

4. SPECIAL POWERS (Section 709.2202, Florida Statutes)

MY AGENT MAY EXERCISE THE FOLLOWING POWERS ONLY IF I HAVE INITIALED NEXT TO EACH ONE. THESE POWERS COULD SIGNIFICANTLY REDUCE MY PROPERTY OR CHANGE HOW IT PASSES AT MY DEATH. LEAVE BLANK ANY POWER I DO NOT WANT TO GRANT.

☐ **(a)** Create an inter vivos trust.

☐ **(b)** With respect to a trust created by or on behalf of me, amend, modify, revoke, or terminate the trust, but only if the trust instrument explicitly provides for amendment, modification, revocation, or termination by the settlor's agent.

☐ **(c)** Make a gift. Unless I state otherwise in Section 5, gifts are limited as provided in section 709.2202(4), Florida Statutes (generally, the annual federal gift tax exclusion per recipient).

☐ **(d)** Create or change rights of survivorship.

☐ **(e)** Create or change a beneficiary designation.

☐ **(f)** Waive my right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan.

☐ **(g)** Disclaim property and powers of appointment.

Unless I provide otherwise in Section 5, an agent who is not my ancestor, spouse, or descendant may not use these powers to create an interest in my property for the agent or for anyone the agent is legally obligated to support (section 709.2202(3), Florida Statutes).

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5. SPECIAL INSTRUCTIONS

On the following lines you may give special instructions limiting or extending the powers granted to your agent. If none, write “None.”

6. COMPENSATION

My agent is entitled to reimbursement of reasonable expenses. Check one:

My agent is also entitled to reasonable compensation for services.

My agent shall serve without compensation.

7. RELIANCE BY THIRD PARTIES

Any third party may rely on this power of attorney, or on a photocopy or electronically transmitted copy of it, as provided in chapter 709, Florida Statutes. A third party may request that my agent sign an affidavit under section 709.2119, Florida Statutes, confirming that this power of attorney is in effect. Revocation of this power of attorney is not effective as to a third party until the third party has received notice of the revocation as provided in chapter 709, Florida Statutes.

8. SIGNATURE OF PRINCIPAL

I sign this durable power of attorney in the presence of the two subscribing witnesses and the notary public named below.

Signed this day of | month | year

at (city) | County | State

X _____

Signature of principal | Printed name of principal

Principal's initials: _____

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SUBSCRIBING WITNESSES

Signed by the principal in our presence, and we, the undersigned witnesses, have signed below in the presence of the principal and of each other.

Witness 1

X _____

Signature of witness

Printed name

Address (street, city, state, ZIP)

Witness 2

X _____

Signature of witness

Printed name

Address (street, city, state, ZIP)

Witnesses should be adults who are not named as agents in this document. A notary public may not notarize a signature for his or her spouse, child, or parent.

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NOTARY ACKNOWLEDGMENT

State of

County of

The foregoing instrument was acknowledged before me by means of

physical presence or

online notarization,

this day of

month

year

by (name of principal)

Personally Known OR

Produced Identification

Type of identification produced

X

Signature of Notary Public

(Notary seal)

Print, type, or stamp commissioned name of Notary Public

Commission number

Commission expires

BY ACCEPTING OR ACTING UNDER THE APPOINTMENT, THE AGENT ASSUMES THE FIDUCIARY AND OTHER LEGAL RESPONSIBILITIES OF AN AGENT UNDER CHAPTER 709, FLORIDA STATUTES. The agent must act in good faith, within the scope of authority granted, and in the principal's best interest; keep the principal's property separate; and keep records of all receipts, disbursements, and transactions.

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