

**NOTICE of CANCELLATION / REVOCATION OF POWER OF ATTORNEY**

I, \_\_\_\_\_, whose date of birth is \_\_\_\_\_ hereby cancel / revoke all previous Powers of Attorney (POA) as of today, \_\_\_\_\_.

I agree that I am of sound body and mind and thereby making this revocation without force, coercion, or duress. I certify that, per the laws of Texas, I will mail a *copy of this page* via **Certified Mail** to the *former agent / attorney-in-fact* on the *next business day* to inform him/her of this cancellation / revocation. In doing so, I am thereby requesting that the original and all copies in his/her possession be returned to me immediately. Should the former agent / attorney-in-fact fail to do so, a *copy of this form* and a *new POA* (if applicable) will be provided to all financial, medical, and other institutions informing them of the cancellation / revocation.

As of today, I have also voluntarily chosen to complete a *new POA* naming my \_\_\_\_\_, \_\_\_\_\_, as my new agent / attorney-in-fact.

IN WITNESS WHEREOF, I have hereunto set my hand and seal in the City of \_\_\_\_\_ in the State of \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_.

This document was SIGNED and SEALED in the presence of the below two witnesses.

**WITNESS ACKNOWLEDGEMENTS**

I HEREBY ACKNOWLEDGE that I witnessed the signing of this document, I am a mentally capable adult, and in my honest opinion, the principal was of sound body and mind and had the capacity to understand the nature and effect of this document and all previous POAs. I believe under oath that this document was signed voluntarily without any compulsion or influence from any other person(s).

\_\_\_\_\_  
Witness # 1 Printed Name                      Witness # 1 Signature                      Date

\_\_\_\_\_  
Witness # 1 Address

\_\_\_\_\_  
Witness # 2 Printed Name                      Witness # 2 Signature                      Date

\_\_\_\_\_  
Witness # 2 Address

**NOTARY ACKNOWLEDGMENT**

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, the three (3) above individuals above appeared before me with \_\_\_\_\_ as proof of identity. Under oath, each of these individuals denied presence of force or duress, and swore to their free and voluntary signing.

\_\_\_\_\_  
Notary Public

stamp

## INSTRUCTIONS TO PRINCIPAL

In order for this cancellation / revocation to be *valid and legal*, the notary and witnesses cannot be *your* spouse, partner, child, attorney, or spouse of your attorney, agent, or attorney-in-fact.

The notary and witnesses cannot be mentioned in your will, either as a beneficiary or executor, nor can they have any financial relationship with you. The notary and witnesses must be over the age of 18 and must be mentally capable of understanding this document and your intentions in executing it.

TO MAKE THIS CANCELLATION / REVOCATION EFFECTIVE, you must give legal notice to the previous agent or attorney-in-fact of all previous POAs you wish to cancel with this document. This means that a COPY OF THE FIRST PAGE OF THIS FORM must be served to the agent / attorney-in-fact of the POA you are cancelling or revoking with this document.

### SERVING THE PREVIOUSLY-NAMED AGENT(S):

It is **legally required** that you serve the agent(s) or attorney(s)-in-fact of all POAs you wish to cancel or revoke. To do so...

1. Take a copy of the first page of this document to the United States Post Office along with the mailing address of the agent(s) or attorney(s)-in-fact.
2. Tell the postal worker that you want to mail this CERTIFIED WITH A RETURN RECEIPT which costs approximately \$ 7.00.
3. Keep the receipt with the original copy of the document in case it is needed for legal or court purposes in the future.

If the former original and copies are returned to you, do NOT destroy them. Instead, DO use a marker and write "REVOKED" on each of them so they can never be used again. Keep them in a safe place along with this original.

### **OPTIONAL TIPS:**

- NEVER GIVE YOUR ORIGINAL TO ANYONE.
- ALWAYS KEEP IN A SAFE PLACE such as a safe deposit box in your bank or with an attorney or in a locked bag with someone (outside of your home) who you trust.
- Keep it away from wandering eyes and curious minds.
- Be sure that it this document is not easily accessed by others.
- Many states (but not all) allow you to file the original document with your County Clerk's Office along with your new POA. Doing so provides added legal documentation and perhaps, protection. However, every state and county is different, so contact your local office directly for more information.
- Mail or hand-deliver a notarized letter or a copy of the 1<sup>st</sup> page of this document to request that the former POA agent / attorney-in-fact's name be **removed** from your records, system notes, bank accounts, and medical files. *Although this is not necessary, if the former agent/attorney-in-fact is dishonest, s/he could continue accessing your bank account, home title, car insurance, medical records, and almost everything else even after you cancelled / revoked it.* If this happens, file a police report and call an Estate, Elder Law, or Family Attorney.

**Protecting Yourself is the #1 priority so the more you do, the better it is for you and your loved ones and could save you lots of headache and hassle, not to mention thousands of dollars needed to hire an attorney or pay for court fees.**