

# How to talk to your family about choosing an agent

**Selecting an agent for your Power of Attorney (PoA) is a crucial decision that affects your financial security, medical care, and overall well-being.**

**Talking with your family about your choice ensures that:**

- Everyone understands your wishes.
- There are no surprises or misunderstandings.
- Potential conflicts or concerns are addressed early.
- Your chosen agent is fully prepared for their role.

## **Step 1: Choose the right time and setting**

- Pick a calm, private environment where you won't be interrupted.
- Avoid bringing up the topic during stressful events or family gatherings.
- Let family members know in advance that you'd like to discuss your plans.

**Tip: If you're unsure how to start, say: "I've been working on my estate planning, and I want to make sure everyone understands my choices and why they're important."**

## **Step 2: Explain why you're choosing a Power of Attorney agent**

- Clarify that this is not about favoritism but about who is best suited for the role.
- Emphasize that being an agent is a legal duty, not a privilege.
- If you've chosen a professional fiduciary, explain why this is the best option for your situation.

**Example: "I've decided to name [Agent's Name] as the agent for my financial Power of Attorney because they have experience managing finances and are comfortable making complicated financial decisions."**

### **Step 3: Address concerns and family dynamics**

- If family members disagree with your choice, listen to their concerns and calmly explain your reasoning.
- Reassure them that your decision is based on practicality, not personal preference.
- Offer to answer any questions and involve an attorney if needed.

**Tip: If you expect tension, consider having a neutral third party, like your attorney, help facilitate the discussion.**

### **Step 4: Ensure your agent understands their role**

- Clearly outline their responsibilities and legal obligations.
- Discuss any limits on their authority (e.g., restrictions on gifting or estate planning).
- If they are the agent for a medical Power of Attorney, make sure they understand your healthcare wishes, including end-of-life care preferences.

**Tip: Give your agent a copy of your Power of Attorney documents and encourage them to ask questions.**

### **Step 5: Communicate with other key family members**

- Inform immediate family members so there are no surprises later.
- If you have multiple agents, ensure they understand how they will work together.
- Provide contact information for your attorney in case questions arise.

### **Common questions & how to answer them**

**Q** "Why didn't you choose me?"

**A** "This decision isn't about trust or love. It's about who is best suited for the responsibilities. I value our relationship, and I want to ensure this role is handled by someone who can manage the legal and financial aspects effectively."

**Q** "What if something happens to your agent?"

**A** "I've named a backup agent who can step in if needed. My attorney also has a copy of my documents in case any changes need to be made."

**Q** "What if I don't agree with their decisions?"

**A** "My agent must follow my wishes and act in my best interest. If there's ever a concern, there are legal ways to review their actions and hold them accountable."