

Powers of Attorney Research Guide

Overview

This research guide includes information and resources on powers of attorney. A power of attorney is “an instrument granting someone authority to act as agent or attorney-in-fact for the grantor. An ordinary power of attorney is revocable and automatically terminates upon the death or incapacity of the principal.” (*Black’s Law Dictionary, 11th ed.*) The resources listed below are not exhaustive and may not include the most up-to-date information. It is for information purposes only and should not be construed as legal advice or act as the substitute for legal counsel.

Statutes and Codes

Texas Statutes www.statutes.capitol.texas.gov

Texas Estates Code

- Title 2. Estates of Decedents; Durable Powers of Attorney – Subtitle P: Durable Powers of Attorney– Ch. 751 et seq
<https://statutes.capitol.texas.gov/Docs/ES/htm/ES.751.htm>

Secondary Resources in Print

Texas Estate Planning KFT 1340 .R4

- Ch. 4 Ancillary Documents: (both Durable Power of Attorney and Medical Power of Attorney)

Davis’s Texas Estate Planning Forms KFT 1340 .A65 D39 2019

- Ch. 2 Ancillary Forms (both Durable Power of Attorney and Medical Power of Attorney)

Texas Practice Series: Texas Elder Law KFT 1280 .T4

- Vol. 51, Ch. 4 Advanced Directives

Texas Estate Planning KFT 1340 .T49

- Ch. 70 Powers of Attorney for Property Management and Health Care

Texas Practice Guide: Wills, Trusts and Estate Planning KFT 1280 .T4931

- Wills, Trusts, and Estate Planning Vol. 3, Ch. 9 Lifetime Planning

West’s Legal Forms KF 170 .W4

- Vol. 16, Ch. 4 Powers of a Attorney

Uniform Laws Annotated KF 165 .A5

- Vol. 8, Part III, Article 5B: Uniform Power of Attorney Act (2006)

CLE Materials

Advanced Estate Planning and Probate KFT 1340 .A75S7

- 2021 Ch. 32 Estate Planning for Incapacitated Persons
- 2018 Ch. 23 Durable Powers of Attorney: Discussing their Rosy Future and Answering Your Thorniest Questions
- 2018 Ch. 24 Quality of Life to the End of Life

Real Estate Law 101 KFT 1312 .A75R22

- 2015 Ch. 14 Powers of Attorney

Online Resources

NOLO: Power of Attorney Laws

<https://www.nolo.com/legal-encyclopedia/texas-power-of-attorney-laws.html>

Sample forms for Power of Attorney

<https://www.tarrantcounty.com/en/law->

[library/forms.html](#). The list is in alphabetical order. Scroll down to the letter “P” to find Power of Attorney.

Texas Health and Human Services Statutory Durable Power of Attorney <https://hhs.texas.gov/laws-regulations/forms/miscellaneous/sdpoa-statutory-durable-power-attorney>

Texas State Law Library Research Guide <https://guides.sll.texas.gov/powers-of-attorney/general-information>

Texas Law Help (www.texaslawhelp.org)

- Advance Directives <https://texaslawhelp.org/article/advance-directives>
- Durable Power of Attorney (Dallas Bar Association) <https://texaslawhelp.org/sites/default/files/2023-10/lhot-pb-dpoa-100-statutory-durable-power-of-attorney-0.pdf>
- Estate Planning: Planning Who Gets Your Property <https://texaslawhelp.org/article/estate-planning-planning-who-gets-your-property>
- I Want to Allow Another Person to Make Medical Decisions for Me (Medical Power of Attorney) <https://texaslawhelp.org/guide/i-want-to-allow-another-person-to-make-medical-decisions-for-me-medical-power-of-attorney>
- Medical Power of Attorney <https://texaslawhelp.org/guide/i-want-to-allow-another-person-to-make-medical-decisions-for-me-medical-power-of-attorney>
- Powers of Attorney: Information and Answers <https://texaslawhelp.org/article/powers-of-attorney-information-and-answers>
- Powers of Attorney: Fact Sheet <https://texaslawhelp.org/article/powers-of-attorney-fact-sheet>

Power of Attorney and Declaration of Representative (IRS) <https://www.irs.gov/forms-pubs/about-form-2848>

Legal Assistance

Legal Lines – Ask Attorneys simple legal questions (free service)

- Tarrant County LegalLine Sign-up <https://www.tarrantbar.org/>
- Dallas County LegalLine Sign-up <https://www.dallasbar.org/index.cfm?pg=legalline>

Tarrant County Bar Association Lawyer Referral Service: 817-336-4101 (\$20 for the first 30 minutes)