

## **LACERS Special Durable Power of Attorney Frequently Asked Questions**

**1. What is the LACERS Special Durable Power of Attorney?**

*It is a legal document wherein you designate an agent also known as the Attorney-in-Fact, to act on your behalf if you are unable to manage your LACERS pension related affairs.*

**2. Do you need a Power of Attorney?**

*Only you can answer the question of whether or not you need a Power of Attorney. One of the benefits having the LACERS Special Durable Power of Attorney is that your agent can manage your LACERS related retirement benefits, in the event you are unable to handle your affairs. If you become incapacitated without having a proper Power of Attorney document on hand or on file with LACERS, your relatives or the person handling business on your behalf will need to provide LACERS with conservatorship documentation from the court. Please note, seeking a conservatorship will take time and can be expensive.*

**3. What transactions are covered under the LACERS Special Durable Power of Attorney?**

*The LACERS Special Power of Attorney only covers matters related to your LACERS' benefits. You may grant your agent complete authority or limit your agent's authority to specific transactions only.*

**4. When does the document go into effect?**

*You have the choice of making the document effective immediately or at the time of your incapacitation.*

**5. How will LACERS confirm you have become incapacitated?**

*Within the Power of Attorney document you may indicate the number of physicians you require to confirm your incapacitation. These physicians must certify in writing to LACERS you are no longer capable of managing your affairs.*

**6. Can I amend, revoke or terminate my LACERS Special Durable Power of Attorney?**

*Yes, as long as you have not been declared incapacitated and unable to handle your personal business affairs. However, any and all changes must be in writing.*

**7. How long will the document remain in effect?**

*The document will remain in effect until such time you chose to amend, revoke or terminate the document. Amendments, revocations and terminations must be in writing. If you do not file an amendment, revocation or termination with LACERS, the original document LACERS has on file will remain in effect.*

**8. Does LACERS accept non-LACERS Power of Attorney documents?**

*Yes. Any submitted Power of Attorney or conservatorship document will be reviewed by the Office of the City Attorney before it is accepted by LACERS.*

**9. Where can I get the LACERS Special Durable Power of Attorney document?**

*You can obtain the LACERS Special Durable Power of Attorney document during your retirement counseling session, via email at [lacers.services@lacers.org](mailto:lacers.services@lacers.org), by calling the Member Service Center at (800) 779-8328, or you can download it at the following links:*

<http://www.lacers.org/active/forms.html>

<http://www.lacers.org/retired/forms.html>

**10. What are the required authorized signatures for the LACERS Special Durable Power of Attorney?**

*Your signature is required to be notarized or witnessed by two adults, who have no legal interest in your LACERS Special Durable Power of Attorney. Witnesses must provide a clear copy of their valid government issued photo identification. Although the agent's signature is not required to be notarized, the agents (including any alternate agents) must also sign the document, and submit a clear copy of their valid government issued photo identification. If you have more than two primary agents, simply record their information and signatures on an additional sheet of paper and attach it to the document. If you wish to have your signature notarized, LACERS as a courtesy, will notarize the LACERS Special Durable Power of Attorney document for you. Notarization is limited to the LACERS Special Durable Power of Attorney only. No other documents will be notarized.*

**To use the LACERS notary service you must make an appointment. The service is available as follows:**

- **9:00 a.m. to 11:00 a.m. on the first Thursday**
- **1:30 p.m. to 3:30 p.m. on the third Thursday**

**Please call (213) 473-7280 to schedule an appointment.**

**11. What if my agent doesn't live here? (How will they sign the document?)**

*You can send page 5 of the document to your agent to complete and have your agent return the page and a clear copy of their valid government issued photo identification to you. Once you have your completed document, including all ancillary supporting documentation, you can forward the entire original document LACERS.*

**12. Can I submit a copy as opposed to the original LACERS Special Durable Power of Attorney document?**

*Your original Power of Attorney document must be submitted to LACERS. A copy will be placed in your file at LACERS and your original document will be returned to you.*