

REVOCATION OF POWER OF ATTORNEY

Instructions

“To revoke” means to recall or cancel a power or authority previously granted. You may revoke a Power of Attorney at any time and for whatever reason you wish. You must do it in writing and give a copy of the Revocation form to any interested third party such as a bank or financial institution with whom you or your Agent have business. If your Power of Attorney was recorded for real estate purposes, the revocation must be recorded as well.

A regular Power of Attorney can be revoked at any time for any reason, as long as the principal is mentally competent.

An incapacitated or incompetent principal cannot revoke a Durable Power of Attorney. In these cases, it is likely that court proceedings may determine whether the principal is competent to revoke the document.

The following general steps describe the process of revoking a Power of Attorney:

STEP 1: **OBTAIN** the Revocation Form and Explanation at the Maricopa County Superior Court “forms” website or one of the Law Library Resource Centers located in the valley.

- Read and complete the Revocation form

STEP 2: **TAKE** the following to a Notary Public. You may find a Notary at most banks or listed in the telephone book yellow pages. Notaries usually charge a fee. [The Clerk of Court will not notarize your documents and there is no need to file these documents with the Court.]

- The Witness
- The original completed Revocation Form
- Photo ID for the witness, and you

STEP 3: **SIGN** the original Revocation Form in front of the Notary and

- Tell the Witness to sign the original Form in front of the Notary
- Wait for the Notary to notarize the Revocation Form

STEP 4: **MAKE COPIES** of the Revocation Form for each person or organization you deal with

- Keep the ORIGINAL for your records
- Give a COPY to the Attorney in Fact
- When revoking an existing Power of Attorney without naming a new representative, you must attach a copy of the *previously executed* Power of Attorney. On the copy of the **previously** executed Power of Attorney, write “REVOKE” across the top of the document. Then, initial and date it again under your signature.
- Give these people and organizations the copy of the Revocation Form. Be sure to have proof these people and organizations received the Revocation Form. NOTE: *The principal must identify all third parties who may be relying on the Power of Attorney. Recording the Revocation form may be the safest and simplest way of notifying third parties of the revocation.*