

Session Name: Divergent Powers of Attorney & Guardianship

Presenter:

1. Judge Margaret Mary McVeigh
2. Harry P. O'Malley, Esq., Deputy Surrogate, Mercer County
3. Stephanie M. Kay, Esq.

Format: Panel discussion

Length: 1 hr.

Brief Description:

This panel will discuss differences between a guardianship and a Power of Attorney as well as instances when a guardianship is necessary even when there is a valid Power of Attorney in place. It will also discuss issues surrounding the discovery of a Power of Attorney document during the pendency of a guardianship action.

Objectives:

1. Understanding the differences between a guardianship and a Power of Attorney.
2. Understanding the advantages and limitations of both.
3. Understanding the potential difficulties when the two converge.