

This instrument prepared by: _____ (name)
_____ (post-office address)

FLORIDA DURABLE POWER OF ATTORNEY

Florida has no statutory form. This template follows chapter 709, Florida Statutes. Under section 709.2201(1), general wording such as "do all acts that I could do" grants no authority: only the powers you initial below are granted. Sign in front of two witnesses and a notary (section 709.2105(2)).

1. PRINCIPAL AND AGENT

I, _____ (principal), of
_____,
appoint _____ (agent), of
_____, phone _____,
as my attorney in fact (agent). If my agent dies, resigns, is removed or cannot act, I appoint
_____ (successor agent), of
_____.

The agent must be a natural person who is 18 years of age or older, or a financial institution that has trust powers, has a place of business in Florida, and is authorized to conduct trust business in Florida (section 709.2105(1)).

2. DURABILITY AND EFFECTIVE DATE

This durable power of attorney is not terminated by subsequent incapacity of the principal except as provided in chapter 709, Florida Statutes.

This power of attorney is exercisable when executed. (Under section 709.2108(3), a Florida power of attorney that is to become effective at a future date or on a future event is ineffective, except a military deployment-contingent power of attorney.)

3. SPECIFIC POWERS GRANTED (initial each power you grant; cross out any you do not)

Initials: _____ BANKING. My agent has authority to conduct banking transactions as provided in section 709.2208(1), Florida Statutes.

Initials: _____ INVESTMENTS. My agent has authority to conduct investment transactions as provided in section 709.2208(2), Florida Statutes.

Initials: _____ REAL PROPERTY. To buy, sell, lease, mortgage, manage, insure and pay taxes on my real property, including my homestead. If I am married, my homestead may not be mortgaged or conveyed without the joinder of my spouse or my spouse's guardian (section 709.2201(2)(b)). Legal description of any specific property:

Initials: _____ TANGIBLE PERSONAL PROPERTY AND VEHICLES. To buy, sell, register, title, insure and transfer my vehicles, boats and other personal property.

Initials: _____ TAXES. To prepare, sign and file my federal, state and local tax returns and to represent me before the Internal Revenue Service and the Florida Department of Revenue, including by signing IRS Form 2848, for tax years _____.

Initials: _____ INSURANCE AND ANNUITIES. To buy, keep, pay premiums on, borrow against and surrender insurance policies and annuities (beneficiary changes require the separate initials in section 4).

Initials: _____ RETIREMENT PLANS. To make contributions, elections and withdrawals from my retirement plans and accounts (beneficiary changes require the separate initials in section 4).

Initials: _____ GOVERNMENT BENEFITS. To apply for and manage Social Security, Medicare, Medicaid, veterans' and other public benefits, as far as each agency's own rules allow an agent to act.

Initials: _____ CLAIMS AND LITIGATION. To assert, settle and defend claims and lawsuits for or against me, and to hire attorneys and other professionals.

Initials: _____ PERSONAL AND FAMILY MAINTENANCE. To pay my living expenses and those of my dependents, and to receive and open my mail.

Initials: _____ OTHER (describe each power specifically): _____

4. POWERS THAT REQUIRE A SEPARATE SIGNATURE OR INITIALS (section 709.2202)

My agent may exercise each power below only if I have signed or initialed next to it:

Initials: _____ (a) Create an inter vivos trust.

Initials: _____ (b) With respect to a trust created by or on behalf of the principal, amend, modify, revoke, or terminate the trust, but only if the trust instrument explicitly provides for amendment, modification, revocation, or termination by the settlor's agent.

Initials: _____ (c) Make a gift. Unless I write otherwise here, gifts are limited as provided in section 709.2202(4):

Initials: _____ (d) Create or change rights of survivorship.

Initials: _____ (e) Create or change a beneficiary designation.

Initials: _____ (f) Waive the principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan.

Initials: _____ (g) Disclaim property and powers of appointment.

Unless this document provides otherwise, an agent who is not my ancestor, spouse or descendant may not use these powers to give the agent, or anyone the agent must support, an interest in my property (section 709.2202(3)).

5. WHAT MY AGENT CANNOT DO

Under section 709.2201(3), my agent may not perform duties under a contract that requires my personal services, make an affidavit as to my personal knowledge, vote in a public election for me, execute or revoke a will or codicil for me, or exercise powers I hold as trustee or court-appointed fiduciary.

6. COMPENSATION

☐ My agent may receive reasonable compensation. ☐ My agent serves without compensation but may be reimbursed for reasonable expenses.

7. SIGNATURES

Signed on _____, 20____, at _____, Florida.

_____ Principal's signature

_____ Principal's printed name

Signed by the principal in our presence, and by each of us as subscribing witnesses in the presence of the principal and of each other:

Witness 1 signature: _____

Printed name: _____

Address: _____

Witness 2 signature: _____

Printed name: _____

Address: _____

Remote witnessing: if the principal is a vulnerable adult as defined in section 415.102, Florida Statutes, witnesses who attend by audio-video technology do not count (section 117.285). The witnesses must then be physically present.

NOTARY ACKNOWLEDGMENT (section 695.25(1), Florida Statutes)

STATE OF FLORIDA COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____ (date) by _____ (name of person acknowledging), who is personally known to me or who has produced _____ (type of identification) as identification.

_____ (Signature of person taking acknowledgment)

_____ (Name typed, printed or stamped) _____ (Title or rank)

_____ (Serial number, if any)

NOTES

☐ A photocopy or electronically transmitted copy has the same effect as the original, but an original may be required to record it for real property (section 709.2106(5)).

☐ For a banking or investment transaction under the statements in section 3, a financial institution or broker-dealer is presumed to have a reasonable time of four days, excluding weekends and legal holidays, to accept or reject this power of attorney (section 709.2120(1)).

☐ Health care decisions: this template does not grant them. Florida allows it only if specifically granted (section 709.2201(2)(c)); most people use a separate designation of health care surrogate under chapter 765.

☐ Recording with the county (for real property): section 695.26 asks for the preparer's name and address, a blank 3-inch by 3-inch space at the top right of the first page and a 1-inch by 3-inch space at the top right of each later page, and each witness's printed name and address beneath the signature. This template leaves those spaces blank: do not write in them.

Source: Florida Statutes sections 695.25, 709.2104, 709.2105, 709.2106, 709.2108, 709.2120, 709.2201, 709.2202, 709.2208, 117.285 and 695.26 (flsenate.gov, 2025 Statutes), read October 4, 2026. This template is general information, not legal advice. LegalTemplateVault.com is not a law firm. Laws change: check the current statute before you sign.