

SUPPLEMENTAL WITNESS OBSERVATION RECORD

Enhanced Durable Power of Attorney | Special-Circumstances Form

This form lets one witness record what they personally observed about the Principal's understanding and voluntary signing of a Power of Attorney.

INSTRUCTIONS | Each witness completes and signs a separate copy independently, using only firsthand observations. Check only statements you actually observed. Unchecked statements are not findings of the opposite. Describe any uncertainty, disagreement, prompting, or concern in the comment spaces. Do not complete this form for another witness.

Principal: _____

POA identifier: _____

Date of discussion: _____

Date of signing: _____

Witness name: _____

Location: _____

1 | PEOPLE PRESENT AND CONDITIONS

People present during the discussion (names and roles): _____

People present at signing, if different: _____

- ☐ I personally observed the Principal offered an opportunity to speak without the proposed Agent or other interested persons present.
- ☐ The Principal spoke privately without the proposed Agent or other interested persons present.
- ☐ The Principal declined an offered private discussion.
- ☐ Questions were asked in a manner that allowed the Principal to answer in their own words.
- ☐ The document was read aloud or explained in terms the Principal could understand.
- ☐ The Principal received additional time, breaks, or communication assistance as needed.

Explain any unchecked or uncertain circumstances, assistance, prompting, or interruptions:

2 | THE PRINCIPAL'S EXPRESSED UNDERSTANDING

Check only what the Principal actually demonstrated during the discussion, not what you assume they understood.

- ☐ The Principal identified the person they wanted to appoint as primary Agent.
- ☐ The Principal explained in their own words that an Agent could act on their behalf.
- ☐ The Principal described at least one practical consequence of granting authority over money, property, benefits, or other matters selected in this POA.
- ☐ The Principal expressed a choice about at least one specific authority to grant, withhold, or limit.
- ☐ The Principal expressed an understanding that signing the POA does not by itself prevent them from making their own decisions while legally able.
- ☐ The Principal expressed an understanding that they may revoke the POA while legally able to do so.
- ☐ The Principal identified a person named as successor Agent or explained when a successor would act.

Record a brief example of the Principal's own words, or any incomplete or inconsistent answers:

3 | CHOICES AND VOLUNTARY PARTICIPATION

- ☐ The Principal stated that they wanted to sign the POA.
- ☐ The Principal had an opportunity to ask questions, disagree, or request a change.

- ☐ The Principal made or confirmed their own authority elections and instructions, as far as I personally observed.
- ☐ I observed no one answer on the Principal's behalf, suggest an answer, threaten, or pressure the Principal.
- ☐ I observed a person suggest an answer, answer for the Principal, interrupt, or apply pressure (describe below).
- ☐ The Principal expressed hesitation, disagreement, confusion, or a request for more time (describe below).

Describe any prompting, pressure, hesitation, disagreement, requested changes, or unanswered questions:

4 | COMPLETED DOCUMENT AND SIGNING

- ☐ I saw the Principal review the completed POA or have it read or explained before signing.
- ☐ I observed the Principal confirm that the completed POA reflected their choices.
- ☐ I did not personally observe the review of all authority elections or special instructions.
- ☐ I personally saw the Principal sign the POA.
- ☐ The Principal personally acknowledged to me that the signature on the POA was theirs.
- ☐ I did not personally witness the signing or acknowledgment.

Approximate signing / acknowledgment time: _____ Place: _____

Describe any assistance signing, difference between the discussion and signed document, or other concern:

5 | WITNESS'S ADDITIONAL OBSERVATIONS

Include anything material not covered above, especially an unanswered question or reason for uncertainty:

6 | INDIVIDUAL WITNESS DECLARATION

I completed this record independently. The checked statements and written comments reflect my personal observations to the best of my recollection. I have not checked a statement merely because someone else said it was true. I do not certify medical or legal capacity, and this record does not itself establish the validity of the POA.

Witness signature: _____ Date / time: _____

Printed name: _____

Address: _____

Telephone or email (optional): _____

Attach additional signed pages if needed. Keep each witness's completed copy with the executed POA and ordinary witness attestation.