

**Title:** Powers of Attorney

**Length:** approximately 35 minutes

**Learning Objectives:**

Participants will be able to:

1. Define a “power of attorney” and other key terminology
2. Clarify the authority and duties of the agent/attorney-in-fact
3. Introduce the Illinois Statutory Short Forms, 755 ILCS 45:
  - Power of Attorney for Health Care
  - Power of Attorney for Property

**Description:**

A common issue for law enforcement investigating possible financial exploitation is whether an agent/attorney-in-fact with authority under a power of attorney has acted lawfully and properly. Law enforcement has often not been adequately trained to understand this type of advance directive or the legal responsibilities of the person authorized to act on behalf of the principal. As a result, cases may be treated as civil matters, when in reality, a crime has been committed. This pre-recorded session will define a power of attorney, describe the authority and duties of the agent/attorney-in-fact, introduce the Illinois Statutory short forms for both health care and property, and offer suggestions for how law enforcement should document cases. The session will focus on powers of attorney for property.

**Presenter Information:**

**Candace Heisler, JD.** Served as an Assistant District Attorney for the City and County of San Francisco for 25 years. She headed the unit that handled elder abuse and domestic violence cases for 10 years and has developed and delivered training for law enforcement, prosecutors, judges, and Adult Protective Services for over 20 years. She was an instructor for the California Commission on Police Officer Standards and Training (POST) and the San Francisco Police Academy for more than 10 years.

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**Education:**

JD, University of California, Hastings College of the Law, San Francisco  
BA, University of California, Los Angeles (UCLA)

**Biographical Statement:**

Candace J. Heisler, J.D., served as an Assistant District Attorney for the City and County of San Francisco for over 25 years. During this time, she headed the Domestic Violence Unit, which handled both domestic violence and elder abuse cases, as well as the Charging, Misdemeanor, and Preliminary Hearing Units. She was an Adjunct Professor at Hastings College of the Law for more than 20 years. She now teaches a graduate course at Virginia Tech on ethics and aging.

Ms. Heisler has written for and trained a variety of professionals about elder abuse, domestic violence, and the criminal justice system, including work sponsored by the American Bar Association, Futures Without Violence, the National Clearinghouse on Abuse in Later Life, the Office for Victims of Crime, the Office on Violence Against Women, and the Judicial Council of California. She frequently presents at the annual National Adult Protective Services Association and other state Adult Protective Services (APS) conferences on related topics. Ms. Heisler has authored several curricula on interviewing alleged perpetrators, addressing undue influence, and working with the criminal justice system for APS Professionals.

Publications include “Elder Abuse Detection and Intervention: A Collaborative Approach”; “Elder Abuse” in *Victims of Crime*; “Elder Abuse Forensics: The Intersection of Law and Science” in *Elder Abuse: Research, Practice and Policy*; and “Ethics and Vulnerable Elders: The Quest for Individual Rights and a Just Society”.

Awards include: California Governor’s Victim Services Award; San Francisco Commission on the Status of Women Leadership Award; California Crime Victims United “Prosecutor of the Year” Award; California District Attorneys Career Achievement Award; Robert Presley Institute of Criminal Investigation Excellence in Instruction Award; the National College of District Attorneys’ Distinguished Faculty Award; the National Committee for the Prevention of Elder Abuse (NCPEA) “Rosalie Wolf Award”, and Hastings College of the Law “Alumna of the Year”.

She teaches for and consults with a wide variety of governmental, educational, and private entities.