

PRIVATE CLIENT SERVICES

- STANDARD WILLS
- INHERITANCE TAX WILLS
- TRUSTS
- LASTING POWERS OF ATTORNEY
- COURT OF PROTECTION
- PROBATE



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Why Do I Need a Power of Attorney?

What is a Lasting Power of Attorney?

A Lasting Power of Attorney (LPA) is a legal document signed by you giving permission for someone else to deal with your property and financial affairs and make decisions for you. Alternatively, you can appoint someone to make decisions about your personal welfare. The person to whom you have given your authority (your attorney) can act even if you subsequently become mentally or physically incapable of managing your own affairs.

Why make a Property & Affairs Power of Attorney?

If you become confused and you have not made a LPA there will be no-one with your permission to access your savings to pay your bills or sell your property. It can also be used if you need someone to deal with your affairs temporarily, for example when you are abroad. However, it is important that you understand the complexity of the documents and you should consider making a LPA long before you need it, while you are still mentally alert.

Why make a Personal Welfare Power of Attorney?

You might want to give permission for someone to make decisions for you of a personal nature at a time in the future when you are unable to make decisions for yourself, for example where you should live, what medication to give you or when to stop life-sustaining treatment. In some circumstances, doctors and nurses will make their own decisions and will not accept instructions from those nearest to you.

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If you would like further information on any of our Private Client services then please contact a member of our Wills, Trust and Probate Team.

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I am not old so why do I need a Power of Attorney?

The Lasting Power of Attorney document and procedure is relatively involved. You therefore need to be mentally agile to understand the benefits/risks and decisions you need to make, which might not be the case in your later years. Also, an LPA is not only useful when you are mentally unable to make decisions for yourself. The Property & Affairs LPA can be used if you are temporarily unable to deal with your affairs (for example, if you are overseas or in hospital) and the Personal Welfare LPA can be prepared for a time when you are unable to make decisions about your welfare (for example your medical treatment) which could occur when you have had an accident or are suffering from an incurable condition.

Cost Advantages

If you have not made a LPA and you become too confused to make decisions for yourself, someone would need to be appointed by the Court. You would not be able to choose this person. The cost would be significantly higher than if you had made a LPA, the person appointed by the Court would be constantly monitored and there would be regular Court fees to pay. There would also be a significant delay before someone is appointed which can cause considerable difficulties to your family and friends.

This leaflet provides only a brief explanation of the advantages of making a Lasting Power of Attorney.

If you would like further information, please contact a member of our Wills, Trust and Probate Team on

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and we will be pleased to discuss this further with you.

Other ways we can help you:-

CONVEYANCING

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- GIFTS OF PROPERTY
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- DIVORCE & CIVIL PARTNERSHIP BREAKDOWN
- CHILDREN DISPUTES
- BREAKDOWN OF UNMARRIED COUPLE RELATIONSHIPS
- FINANCIAL AND PROPERTY SETTLEMENTS
- CHILD SUPPORT
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