

What is a Lasting Power of Attorney and why do I need one?

An LPA is a legal document which appoints trusted people (attorneys) to look after your affairs and make decisions on your behalf if you are unable to do this yourself. This may be due to an accident, disability or the onset of an illness such as Alzheimer's, Dementia or after suffering a stroke.

There are two types of LPA:

- Property and Financial Affairs
- Health and Welfare

Property and Financial Affairs LPA

This gives your attorneys the authority to handle property and financial matters for you. This could include selling your house, managing bank accounts and investments, making business decisions and keeping you up to date with any bills that need paying. A property and financial affairs LPA is crucial to ensure that your 'financial life' continues without disruption should anything untoward happen to you. This LPA also has a short term use, for instance if you are due to be away but your signature is needed on a document.

Health and Welfare LPA

This gives your attorneys the authority to make decisions relating to your health, social and personal needs. This could include decisions about life sustaining medical treatment, where you live, how you are cared for and what healthcare you receive. Other decisions more relevant to later life might include who may visit you, your diet and personal appearance. A health and welfare LPA is crucial to ensure that you are looked after and treated as you wish, even if you lose the mental capacity to make and communicate those decisions yourself.

Your attorneys can only use this LPA if you lost mental capacity.

What happens if I don't have LPAs?

If you become mentally or physically unable to make your own decisions or to sign documents then nobody (not even your spouse or partner) has an automatic right to make decisions for you, even if they would act in your best interests.

Without LPAs in place, someone (usually your family) have to apply to the Court of Protection to be appointed as your 'Deputy'. This takes months and costs significantly more than the fixed fee LPA service provided by legal matters. Fees can run into thousands and you lose the chance to decide who will make decisions on your behalf. There is no guarantee that the Court will appoint the person you would have chosen to make decisions for you and nothing can happen with your decision making until the Court order has been made, which is distressing for your loved ones.

Contact us

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Visit us at www.legal matters.co.uk

By making LPAs, you keep control and are safe in the knowledge that, whatever the future may hold, you have someone there to make decisions on your behalf, someone you trust and who will have your best interests at heart.

Have a chat with us about how LPAs can support you and we'll help you to make the necessary decisions.

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