

A dramatic photograph of a red lighthouse and a red building on a rocky shore. The lighthouse is tall and cylindrical, with a red lantern room at the top. The building is a smaller, red structure with a gabled roof and a balcony. Both are surrounded by crashing waves and splashing water. The sky is overcast and grey, with a few birds flying in the distance. The overall mood is one of resilience and enduring strength.

**When Life gets
a little Stormy**

Lasting Powers of Attorney

THREE FORGOTTEN THINGS



- Planning
- Preparing
- Protecting

Lasting Powers of Attorney

A Lasting Power of Attorney allows you to plan for the future.

You can appoint someone you trust to make decisions for you.

This could be when you're just unavailable or cannot decide for yourself.



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PLAN

Planning is about seeing where you're going in 5 or 10 years time. Then realising if I want to be there I've got to plan for it.

Plans change.

Things happen.

PREPARE

Preparing is the answer every time, then we're covered.

We do have a choice.

Prepare so if it happens we'll survive. Or just hope it never happens.

PROTECT

Freedom is knowing I've done all I can to protect for the future.

Cognitive conditions, such as dementia affect not only the person with the condition, but the whole family as well.

If you haven't planned, many of the banks will freeze a joint bank account, even if the other account holder has capacity.

Personal decisions could be made by the stranger we've never met and doesn't know us.

SOLUTION

Make a Lasting Power of Attorney

One for you and another for your loved one



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WHY MAKE A LASTING POWER OF ATTORNEY

A Lasting Power of Attorney gives you freedom and peace of mind, just in case anything happens in the future.

On Holiday

If you're on *holiday* and you needed something done at the bank. If you couldn't do this over the phone, your Attorney at home could visit the bank and sort it out for you. Otherwise it would have to wait till you got home and could upset your holiday.

Moving house

If you wanted to *move house* and lacked capacity and didn't have a Lasting Power of Attorney, a court application would need to be made to authorise this. This can be a slow and costly process.

Medical treatment

If you lacked capacity and needed *medical treatment and there was no* Lasting Power of Attorney in place, your relatives could not legally make decisions for you. Even as your next of kin.



CHOOSING SOMEONE TO MAKE YOUR DECISIONS

You should think carefully when choosing someone to be your decision maker or attorney. An attorney should be someone who is trustworthy, competent and reliable. They should also have the necessary skills and abilities to carry out the required tasks.



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TYPES OF LASTING POWER OF ATTORNEY

There are two types of Lasting Power of Attorney or LPA.

- Property and Financial LPA
- Health and Welfare LPA

These are separate documents and we would advise clients to make both types. This then covers all of you and the decisions you'd like to be made.



HOW DOES THE PERSON I APPOINT MAKE DECISIONS

The person you appoint is required by law to make decisions in your best interests.

They have to try and include you as much as possible in the decision making process.

They have to think how you would make a decision.

They also have to consider any documents or information you've written which might help them make decisions for you.



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I WANT TO APPOINT MORE THAN ONE PERSON TO DECIDE FOR ME

If you want more than one person to make decisions for you that's all right. They can either act jointly, or jointly and severally. Jointly means they must always agree and make decisions together. Whereas jointly and severally means they may make decisions independent of each other or together. Usually they would have decided how this will operate.

HOW DO I MAKE MY LASTING POWER OF ATTORNEY

Making a Lasting Power of Attorney involves three things.

- You as the donor (person making the LPA) must be over 18 and have sufficient mental capacity at the time of making one.
- You need to carefully choose your attorneys. We would suggest you choose two people, your spouse or partner for instance and a younger person as well.
- The Lasting Power of Attorney requires someone confirms there are no issues. This person is called the certificate provider and will usually be one of us. We will ensure you make a valid and appropriate Lasting Power of Attorney.

Once your Lasting Power of Attorney is registered with the Office of the Public Guardian it can be used.



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Life is fragile



IT'S YOUR CHOICE TO MAKE A LASTING POWER OF ATTORNEY

If you did not make a Lasting Power of Attorney and you lack sufficient understanding to make decisions, it may take 6 months or more to apply to the Court of Protection to have someone called a deputy appointed to legally make your decisions.

Could your lifestyle survive for 6 months?

Call us for a free appointment

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and let the author of the textbook on Lasting Powers of Attorney make your Lasting Power of Attorney for you.



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WE COME TO VISIT YOU TO MINIMISE COSTS

- Wills and Trusts
- Deputyship orders
- Probate
- Litigation
- Commercial law
- Lasting Powers of Attorney
- Business Lasting Powers of Attorney

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