

Lasting Powers of Attorney (LPAs)

griffiths ings
property lawyers

GIVE YOURSELF PEACE OF MIND AND APPOINT A LASTING POWER OF ATTORNEY TODAY!

What is a LPA?

- A Lasting Power of Attorney (LPA) is a legal tool that allows you to state who you would like to make decisions on your behalf, should you become unable to do so in the future.
- It lets you choose a person(s) you trust to act for you. This person(s) is referred to as your attorney(s).
- There are two different types of LPA. You can have the same attorney(s) for both, or you can have different attorneys for each.

LPA for Finance Decisions:

This allows your attorney(s) to make decisions about your finance and property. Your attorney could make decisions about:

- Paying your bills;
- Collecting your income and benefits; or
- Selling your house.

LPA for Health and Care Decisions:

This allows your attorney(s) to make decisions about your health and care. Your attorney could make decisions about:

- Where you live;
- What medical treatment you receive; or
- Your day-to-day care, including your diet and what you wear.

You can also choose to give your health and welfare attorney the power to accept or refuse life-sustaining treatment on your behalf.

When can LPAs be used?

Neither type of LPA can be used until they have been registered at the Office of the Public Guardian (OPG). An LPA for finance decisions can be used as soon as it is registered at the OPG, unless you decide otherwise. An LPA for health and care decisions can only be used when you don't have the mental capacity to make decisions about your own welfare.

Benefits of making an LPA:

- It can be reassuring to know that, if you are unable to make a decision for yourself in the future, your chosen person will make these decisions for you.
- Making an LPA ensures that the person you want to make decisions for you will be able to do so. This prevents a stranger, or someone you may not trust, from having this power.
- An LPA can reduce problems that may occur in the future. It can be more expensive and time-consuming usually involving court proceedings for family or friends to try to gain a similar power in the future.

- Making an LPA can help prompt discussions with your family or others about your future wishes.

Who can make an LPA?

To make an LPA you must be over the age of 18. You must also have the mental capacity to make this decision.

Who can be an attorney?

You can choose anyone you wish to be your attorney, as long as they are over 18. For an LPA for financial decisions they cannot be bankrupt.

It's important to think carefully about who you will appoint. We can advise you about this.

Most people will choose a relative or close friend, but you can also ask a professional such as an accountant or solicitor. Nick O'Sullivan, a Director and Solicitor here at Griffiths Ings Property Lawyers would be happy to act as an attorney (we would charge for the time spent in dealing with your affairs which we would discuss with you should you wish to appoint him as an attorney).

You might also consider appointing a replacement attorney. A replacement attorney is the person who you would want to make decisions for you if your first choice attorney is no longer able or willing to be your attorney.

How do attorney's act?

If you choose to have more than one attorney, you must decide how your attorneys will act. They can make decisions together ('jointly'), they can act together and separately ('jointly and severally'), or a combination of the two. We can discuss this with you.

Our fees:

We will take your instructions, draft the documentation, and provide a certificate confirming your capacity, and then proceed to register your LPA for £375 (plus VAT) for one LPA, or £650 (plus VAT) for both. There is also a registration fee of £110 payable to the Office of Public Guardian for each LPA.

**ACT NOW! CONTACT THE WILLS AND PROBATE
TEAM AT NicholasO@GriffithsIngs.com
OR CALL US ON 01446 725198**



