

LASTING POWER OF ATTORNEY (LPA)

A Lasting Power of Attorney (LPA) is an essential legal tool that allows someone to make decisions on your behalf if you become unable to do so due to illness, injury, or incapacity.

Here are some key reasons why having an LPA is important:

Ensure Your Wishes Are Followed

- **Health and Welfare Decisions:** If you lose the ability to make decisions about your medical treatment, care, or living arrangements, an LPA allows you to appoint someone to ensure your preferences are respected.
- **Financial Decisions:** If you are unable to manage your finances, an LPA lets you choose someone trustworthy to handle your financial matters, such as paying bills, managing investments, or selling property.

Avoid Legal Complications

- Without an LPA, your family might need to go through a lengthy and expensive court process to obtain authority to make decisions for you (a process called "deputyship" in the UK).
- An LPA can save time, money, and emotional strain by pre-emptively establishing who can make decisions for you.

Protect Your Assets

- **Financial Management:** An LPA for Property and Financial Affairs can ensure that your assets are protected and managed wisely if you are no longer able to make decisions for yourself. This is especially important if you have significant savings, property, or investments.
- **Prevent Financial Abuse:** By selecting a trusted person to manage your financial matters, you reduce the risk of exploitation or misuse of your funds by others.

Peace of Mind

- Knowing that someone you trust has the legal authority to act on your behalf in case of incapacity can provide peace of mind for both you and your loved ones.
- It helps avoid the emotional stress and confusion that can arise when decisions need to be made for someone who can no longer communicate or manage their affairs.

Plan for the Unexpected

- Life is unpredictable, and an accident, illness, or other sudden changes can leave you temporarily or permanently unable to manage your affairs. Having an LPA ensures that your needs will be taken care of even if the unexpected happens.

Flexibility and Control

- You have the power to choose who will act on your behalf. You can appoint a family member, friend, or a professional to be your attorney, ensuring that someone you trust is in charge.
- You can also set specific instructions in your LPA about the decisions they can or cannot make on your behalf, offering you greater control over your future.

Plan for Both the Short and Long Term

- You can set up different types of LPAs for health and welfare, and for property and financial matters, which can work in tandem or separately.
- An LPA can be structured to cover specific events, such as if you temporarily lose capacity or if you experience long-term incapacitation.

Protect Against Family Disputes

- Having a legally designated person to make decisions for you can help prevent family disagreements over who should take responsibility for your care and finances. It ensures clarity and reduces the chances of conflict between loved ones.

Maintain Independence

- By planning ahead and setting up an LPA, you can maintain control over your life decisions for as long as possible. This empowers you to ensure that, should the time come, your wishes are followed exactly as you would want.

Peace for Your Family

- In times of illness or incapacity, your family members may be overwhelmed with uncertainty and stress. An LPA offers clarity and ensures they are not left struggling with the burden of decision-making at a difficult time.

Coverage in Case of Temporary Incapacity

- An LPA can be used even if you are temporarily unable to make decisions (due to illness, accident, or surgery). It ensures that someone can manage your affairs during short-term periods of incapacity, without the need for a more complicated legal process.

No Need for Court Involvement

- Without an LPA, if you lose mental capacity, your family or friends would need to apply to the Court of Protection for permission to make decisions on your behalf. This process can be time-consuming, costly, and emotionally taxing. An LPA avoids this scenario by clearly designating a decision-maker in advance.

Having a Lasting Power of Attorney is one of the best ways to plan for the future and protect both yourself and your loved ones from potential difficulties. It ensures your wishes are upheld and that someone you trust will be there to make decisions if you are no longer able to do so.

Contact us today to arrange yours.