



Lasting Power of Attorney

What is it?

A legal document that gives your chosen representative (your partner, spouse or close friend for example) the power to make important decisions on your behalf if you are unable to do so.

What does it do?

A 'LPA' is a powerful tool that enables you to give your partner, children, sibling or close friend the power to 'be you' in the eyes of the law. If you consider a Will as your wishes in death, the 'LPA' handles your wishes while you are still alive, but unable to make decisions for yourself. There are many reasons why this might be the case, such as dementia, physical disability, an accident that leaves you incapacitated or even just a broken leg that stops you being able to go to the local bank!

An example

Mr Jones has dementia and the local authority want him to go to a particular local Care Home. Mrs Jones feels that he would be better off being cared for at a

different Care Home that looked after her father and therefore uses her power as his Attorney to overrule the decision. Without the 'LPA', the local authority's decision cannot be challenged.

Mr Smith is married with a family and has always managed the family's finances solely. He has a car accident resulting in a traumatic brain injury. Mrs Smith wants to take over the management of the bank accounts, mortgage and savings. She does so by producing the 'LPA' and acting as though she is her husband. Without the LPA Mrs Smith would need to make an application to the 'Court of Protection' to prove she is acting in her husband's best interests.

How does it work?

A 'LPA' is a document is signed by you, your attorney and witnesses. Once correctly signed, the document is ready to be registered with the 'Office of the Public Guardian', the government department who administer them. The 'LPA' is 2 separate documents, 1 that deals with 'Health & Welfare' and the other that handles 'Property & Financial Affairs'.