

Top reasons why you should make Lasting Powers of Attorney



A Lasting Power of Attorney ('LPA') is a legal document that gives chosen individuals the legal authority to look after your affairs and make decisions on your behalf should you lose the capacity to do so in the future. They can cover your property and finances, your health and care or both.

Top three reasons why you should make LPAs

It is your choice as to who you appoint as your attorneys

When creating your LPA, you are able to choose who you would like to act as your attorneys. This allows you to select those that you most trust and who you feel would understand how you would approach decisions if you still had capacity.

If you lose capacity without an LPA in place then the only way anyone could manage your finances would be by making an application to the Court of Protection for a Deputyship Order. You cannot control who may make this application.

With regards to health and care, doctors and social services would make the decisions if there is no LPA in place and your friends and family members would have no legal right to insist that they are involved.

Attorneys can assist you whilst you still have capacity or following a sudden loss of capacity

Once registered with the Office of the Public Guardian, the property & finance LPA can be used straight away, at



your direction, even whilst you have capacity. This can be useful, for example if you are in hospital or tend to travel for long periods of time.

By registering the LPA straight away your attorneys can act immediately if you lose capacity. In contrast, it can take over a year for a Deputyship Order to be applied for and obtained. This delay could be costly for you.

Your attorneys can only act under your health and welfare LPA after you have lost capacity.

LPAs are the cost-efficient solution to ensure your assets are managed

Getting LPAs in place is far more cost-efficient than making an application for a Deputyship Order, which carries higher solicitor costs and fees. Deputies are required to report annually to the Court and to maintain an insurance bond. Neither of these obligations are imposed on attorneys under an LPA.

Contact us

If you would like to put LPAs in place, please contact Nicola Hillyer on +44(0)1892 506014 or nicola.hillyer@cripps.co.uk



[Nicola Hillyer](#)

Senior Paralegal