



# Understanding Lasting Powers of Attorney

## Appointing a Professional Attorney

A Lasting Power of Attorney (LPA) is a legal document that allows you (the 'donor') to appoint one or more individuals (the 'attorneys') to make decisions on your behalf if you lose mental capacity or no longer wish to make decisions yourself.

There are two types of LPA:

- **Property and Financial Affairs LPA:** Covers decisions about money, property, and financial matters.
- **Health and Welfare LPA:** Covers decisions about health care and personal welfare.

You can choose to appoint a family member, friend, or a professional (such as a solicitor) as your attorney.

## Benefits of Appointing a Professional Attorney

### Expertise in Complex Matters

Professional attorneys, like solicitors, possess extensive knowledge and experience in managing financial and legal affairs. They can navigate complex situations, such as handling investments, property across different jurisdictions, and understanding tax implications.

### Impartial Decision-Making

A professional attorney provides an unbiased approach to decision-making, especially important if you are concerned about potential family conflicts. They are independent of any family dynamics, ensuring decisions are made objectively and in your best interests.

### Relieves Burden on Loved Ones

Acting as an attorney can be challenging and time-consuming. By appointing a professional, you alleviate the emotional and administrative burden on family members or friends.

### Ensures Compliance and Reduces Risk

Professional attorneys are regulated by professional bodies, ensuring they adhere to strict ethical and legal standards. This oversight reduces the risk of mismanagement and provides an avenue for recourse.

### Continuity and Reliability

Professionals offer consistency in decision-making, unaffected by personal circumstances that might impact a lay attorney. Their ongoing availability ensures that your affairs are managed without interruption.

## Considerations When Appointing a Professional Attorney

### Costs

Professional attorneys are entitled to charge fees for their services. These fees should be agreed upon in advance and clearly stated in the LPA document.

### Scope of Authority

Clearly define the decisions your attorney can make and any limitations to their authority within the LPA.

## Choosing the Right Professional

Select a professional with relevant experience and a good understanding of your personal circumstances. It's advisable to choose someone regulated by a professional body.

## Next Steps

- **Consult a Solicitor:** Seek legal advice to draft an LPA that accurately reflects your wishes.
- **Discuss with Family:** Inform your family about your decisions to maintain transparency and reduce potential conflicts.
- **Register the LPA:** An LPA must be registered with the Office of the Public Guardian (OPG) before it can be used. The registration process can take up to 16 weeks.

Appointing a professional attorney under a Lasting Power of Attorney can provide peace of mind, ensuring that your affairs are managed competently and in accordance with your wishes, especially in complex or sensitive situations.

### ***Our fees***

Please refer to our price transparency, or ask us about our fees to assist you in creating & registering your Lasting Power of Attorney.

We do not charge any additional fee if we are appointed as your attorney and fees are charged only on a time spent basis for work we carry out on your behalf.

## Contact Us for Assistance

### ***Need help or have questions?***

Our team is here to assist you in understanding and creating your Lasting Powers of Attorney, Advance Decisions or a Commercial Power of Attorney. Contact us for a consultation today.

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*Note: This leaflet is a general guide. Legal advice tailored to your specific circumstances is recommended.*