

What to Consider before making a Lasting Power of Attorney

Setting up a Lasting Power of Attorney (LPA) is one of the most important steps you can take to plan ahead for the unexpected. It gives the people you trust the legal authority to make decisions on your behalf if you ever need help. Use this guide to feel more confident and prepared and remember, you don't need all the answers yet! That's what I'm here for.

Key Things to Think About:

Which powers do I want to delegate?

There are two types of Lasting Power of Attorney (LPA), and you can do one or both, depending on what feels right for you. A Property and Financial Affairs LPA covers decisions about money, bills, property and investments, and a Health and Welfare LPA covers decisions about your care, treatment and daily routine.

Who should be my Attorneys?

Your Attorneys are the people who will make the decisions for you. They must be over 18, and for financial decisions, must not be bankrupt. They must be people you trust to make decisions on your behalf, if you were ever unable to make them yourself. You can choose one or more, and it's a good idea to name a replacement just in case.

How should my Attorneys make decisions?

If appointment more than one Attorney, you can decide whether they act: Jointly (together on all decisions), or Jointly and Severally (they can act together or separately). This can affect how flexible things are in practice, so I'll explain these options in more detail when we meet and we'll discuss what will work best.

Who should be my Certificate Provider?

This is an impartial person who confirms that you understand the documents you are preparing and that you haven't been pressured in any way. It can be a professional (although they may charge for this service) or someone you've known personally for at least two years. It cannot be someone you are planning to appoint as an attorney or replacement attorney (nor someone who is related to them).

Is there anyone else who needs to be notified?

You can choose to name people to be notified when your LPA is being registered. This is optional but can act as an extra safeguard.

Are there any specific decisions I do or don't want them to make?

You can place legally binding instructions or non-binding preferences in your LPA. For example, you might want to limit certain decisions, provide guidance on your wishes, or express how you'd like your money or care to be managed. Here are some questions you may wish to ask yourself:

- Are there any specific values or beliefs you want your attorneys to consider?
- Are there any types of decisions you want to restrict? For example, the sale of your house or a move to residential care?
- Would you like to include preferences around your daily routine, medical care or financial arrangements?
- Do you have any strong feelings about life-sustaining treatment or life support?

What will I need for my appointment?

Don't worry, you don't need to prepare huge amounts of paperwork for our meeting – that's my job! However, it would be handy for you to have the following:

- Two Forms of ID (1 x Photo, 1 x Proof of Address, dated in the last 3 months)
- A note of the full name, date of birth, address and contact information for anyone you may wish to be included in your LPA.

Remember: LPAs are about giving you peace of mind. You stay in control unless you're no longer able to make your own decisions. This is just about putting good plans in place, just in case.

If you have any questions prior to your appointment, please just reach out – I'm always happy to help!

I look forward to meeting you soon!