

## HAVE YOU EVER CONSIDERED WHAT MIGHT HAPPEN IF YOU COULDN'T MAKE DECISIONS FOR YOURSELF?

Too many people assume that if they were unable to deal with their own bank accounts, pensions and tax affairs, a family member or close friend could simply step in and handle things for them. Many also believe that their families are entitled to make decisions about medical treatment and nursing care for them.

Sadly, this is not the case – unless you organise matters in advance and put Lasting Powers of Attorney (LPAs) in place. Without an LPA, no one is automatically authorised to handle your affairs on your behalf.

LPAs are legal documents which allow you to nominate the people that you would like to deal with your property and finances, and also your health and welfare, in the event that you lose the capacity to do it yourself.

Attorneys can do anything in relation to your affairs which you would have been able to, had you still had mental capacity. A property and finances Attorney is able to pay bills and living expenses on your behalf, look after your investments, and collect your income. A health and welfare Attorney can make choices about where you live and the medical treatment you get – including, if it becomes necessary, whether or not you should receive life-sustaining treatment. These are important and deeply personal decisions; far better that they are made by someone you have thought carefully about and chosen yourself.

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When creating an LPA, you are in the driving seat. You choose the people that you trust and who know you best to look after your interests and to act on your behalf if you are mentally unable. You can give them guidance about how you would like them to act when it comes to the things that are most important to you, such as selling your house.

Your Attorneys will have the comfort of knowing that they are following your wishes. On a practical level, they will find dealing with third parties (such as banks or medical staff) much more straightforward if they can show that they are properly, officially authorised by you. They will also avoid a lengthy, costly application to the Court of Protection at what is already, for many, a very difficult and distressing time.

Nobody likes to think about losing their mental faculties. Putting LPAs in place won't stop that from happening, but it will make things very much easier for your loved ones if it does.

**For further information, please contact the author Laura Walkley on 01483 752700 or email [laura.walkley@twmsolicitors.com](mailto:laura.walkley@twmsolicitors.com)**

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