



# **Planning Ahead: How to Protect Your Family with a Lasting Power of Attorney**

# Table of contents

Why you are reading this	1
Common misconceptions	2
What happens if you don't have an LPA?	3
Why legal help matters	4
Fixed fees, fair service	5
Your next step	6
Contact us	6
The Author	7
Testimonials	8

# Why you are reading this

Life can change in an instant. Whether it's a slow decline in a parent's health or a sudden accident that leaves you or a loved one unable to make decisions, it pays to be prepared.

If you're reading this, it's likely because:

- You have elderly parents and want to be ready to help them if their health or memory declines.
- You want to make sure someone can help manage your finances or health decisions if something happens to you.
- You've heard of a Lasting Power of Attorney (LPA) but aren't sure whether you or your family really need one.

Let us reassure you: if you want to protect your family and make their lives easier in a crisis, an LPA is one of the most important legal documents you can have.



# Common Misconceptions

Here are a few of the most common reasons people put off making an LPA — and why they could be a problem:

***"We have a will – isn't that enough?"***

A will only takes effect when you die. An LPA is what your family needs if you lose mental capacity while still alive.

***"My spouse or partner can take over if anything happens to me."***

Not without an LPA. Even spouses can't access bank accounts or make medical decisions without legal authority.

***"I'm healthy now – I'll deal with this later."***

Sadly, accidents and illness can happen to anyone at any age. If you wait too long, you may no longer have capacity to make one.

***"I can do the forms myself online."***

Yes, but even a small error can cause the forms to be rejected, delaying registration when time is critical. If you lose capacity before it's corrected, it may be too late.

# What happens if you don't have an LPA?

Without an LPA in place, your family will have to make a Court of Protection application for a deputyship order. This means:

- **Delays:** It can take 12 months or more for the Court of Protection to make a decision about whether someone can act as a deputy and may limit what decisions they can make.
- **Choice:** the person who applies to be your deputy may not be the one you would have chosen.
- **Cost:** It's 3 to 4 times more expensive than making an LPA.
- **Stress:** Your family may struggle with bills, access to bank accounts, or decision-making at an already emotional time. For example, while they wait for the court to make an order, they may not be able to access your bank account even to check that the monthly bills are being paid.

And if the court refuses the application, your family might not be able to act at all.



# Why Legal Help Matters

Making an LPA seems simple, but it's a legally binding document. Using a specialist solicitor ensures:

- Your forms are completed accurately and registered without delay. (The Office of the Public Guardian can take weeks to advise that there is a problem, and they may reject the LPA so you will have to start again and make a new application which will just add more delay and risks an additional registration fee so it's important to use an experienced solicitor to get it right first time.)
- Your capacity to make the LPA is assessed and confirmed by an experienced solicitor, reducing the risk of challenges.
- You get tailored advice about who to appoint, and how and when they should make decisions for you.
- Peace of mind that you and your loved ones are protected in case the worst should happen.

## Fixed Fees, Fair Service

We offer a fixed-fee service that includes:

- Advice on making the right decisions for your circumstances.
- Acting as your certificate provider.
- Preparing and submitting the documents to the Office of the Public Guardian.

Discounts are available if you are making both types of LPA (Property & Financial Affairs and Health & Welfare).



# Your Next Step

Whether you're planning ahead for yourself or helping elderly parents, the most important step is to act before there's a problem.

You can:

- Download this guide to keep and share.
- Book a free initial call with Beth King to talk through your needs and next steps to make sure you have the right protections in place for you and your family.

Don't wait for a crisis. Plan ahead, protect your loved ones, and give everyone peace of mind.

## Contact Us

Marsons Solicitors  
Bromley Old Town Hall  
30 Tweedy Road  
Bromley  
BR1 3FE

020 8313 1300

[www.marsons.co.uk](http://www.marsons.co.uk)

# The Author:

## Beth King



Beth King has years of experience helping individuals and families through this process. She communicates in plain English and ensures both you and your attorneys understand your rights and responsibilities.



# Testimonials

"I have used Marsons now on 3 occasions; each time utilising a different area of their expertise and have been very pleased with the service throughout the entire process. They are diligent, fastidious, proactive and professional. All this is achieved while simultaneously being very friendly, open and communicative with their clients. That's the important stuff, but the additional bonus is that they are also very reasonable on rate. Wouldn't hesitate to recommend." – 5 star Google review

"We recently used Marsons for obtaining probate and dealing with our father's estate as well as for selling his house. We were very happy with the service provided by both Beth on the estate side and the team for the house conveyancing. Everyone was very professional, helpful, proactive and responsive and we felt we were in safe hands. The fees are also reasonable. We definitely recommend using their services." – 5 star Google review

"My daughter and I used the services of Beth King to carry out probate for us. We found her very approachable, efficient and from our point of view everything went through very smoothly. The fee structure is also reasonable and we would not hesitate to use the services of Marsons again." – 5 star Google review