

## Your Legal Questions

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**Q. Some years ago I helped my Mother set up an Enduring Power of Attorney. I now need to set up a power of attorney for myself so that my son and daughter can help me if I can't manage in the future. I'm told that I will need to make a Lasting Power of Attorney. I have made a number of calls asking for quotes and I was surprised by how expensive a Lasting Power is to create! Why are LPAs so much more?**

**A.** There are a number of reasons for this: The LPA is much more flexible affording greater choices and options hence its increased length (at least 11 pages) all of which must be explained to you. There are two distinct types of LPA - one relating to Property and finances and another which enables you to appoint someone to make decisions in your best interests relating to Personal Welfare. To combat abuse, at least one suitably qualified person (a Certificate Provider) must confirm your understanding of the document and that you are freely making it i.e. not under duress. Unlike the EPA, before any attorney can act under an LPA it must be registered with the Office of the Public Guardian which will incur a registration fee. To explain matters to you and ensure that your LPA is drawn to meet your wishes is time consuming - hence the cost.

You should not let cost alone deter you - the potential cost and difficulty that may be caused to your family if you do not have an LPA in place and lose the ability to manage your affairs will make the cost of the LPA seem extraordinary good value. Without an EPA or LPA in place, the only option open to your son and daughter to enable them to assist you would be to make an application to the Court of Protection to be appointed as your Deputy - a very costly, time consuming and onerous procedure.

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