

Contributed content

# legal & business matters

## The importance of Lasting Powers of Attorney

**A lasting power of attorney (LPA) is a way of giving someone you trust, your attorney, legal authority to make decisions on your behalf if this becomes necessary.**

Diminished mental capacity can make a person more susceptible to fraud or neglect of their finances. A person can also lose the capacity to be able to express their health and welfare wishes and make decisions. With an LPA in place your affairs can be managed in your best interests.

A financial LPA enables an attorney to manage most aspects of your financial affairs including property dealings, subject to any restrictions or conditions. You can authorise your attorneys to act for you for other reasons such as accident, illness or diminished physical ability.

A health and welfare LPA enables your attorney(s) to advocate on your behalf if you are unable to make decisions. You can authorise your attorneys to make decisions on medical intervention, care, where you live, life sustaining treatment and resuscitation. You can be more confident that the decisions made will reflect your wishes which can be discussed with your attorneys in advance or expressed in writing.

If you would like to arrange an appointment to chat through your options please contact **Heppenstalls** on **01425 610078** (New Milton), **01590 689500** (Lymington), or via email **enquiries@heppenstalls.co.uk**

Without an LPA in place, then a deputy would need to be appointed through the Court of Protection so that someone can assist with your finances. However, it is very rare for a deputy to be appointed to assist with health and welfare matters.

If a person loses the mental capacity to manage their affairs. This process is costly, long drawn out and you do not choose who applies on your behalf. As it is a Court Appointment there is an ongoing requirement to submit annual reports and ongoing costs.

Roz Caldwell, who has recently joined us is a Court of Protection Specialist with 20 years' experience of dealing with powers of attorney, deputyship applications, and the management of a person's property and financial affairs where professionals have been appointed. We can offer appointments in both of our offices and home visits if you have mobility issues.

## Separating parents urged to avoid court room conflict

**PARENTS living in the New Forest who have decided to separate or divorce in 2024 are being urged to find out how to avoid court room confrontation to settle money and parenting arrangements, with the launch of Family Mediation Week, 22 to 26 January.**

January usually sees a dramatic rise in the number of parents deciding to live apart as the various pressures that go hand-in-hand with the Christmas period act as a final straw for relationships.

Sarah Unsworth, Solicitor and Family Mediator of **Scott Bailey LLP** which serves the area says Family Mediation Week is designed to raise awareness of the benefits of family mediation, a process that can help ex-partners agree what works for them, whilst avoiding the court process with all the stress, delay and cost it can bring.

She says many parents emerge from the festive period feeling defeated by the pressures on relationships and finances that have been highlighted during the holiday period.

Here in the New Forest, we find parents in this position simply don't know which way to turn. Their life-changing decision to separate brings with it so many tough questions:

- Who lives where?
- Where will the children live, and how will we make sure we each spend time with them?
- How will we sort money?
- What about debts and pensions?
- And even the family dog?

Family Mediation Week shines a helpful spotlight on these tricky

issues, offering separating parents information about their options as they look to make arrangements for parenting, property and finance.

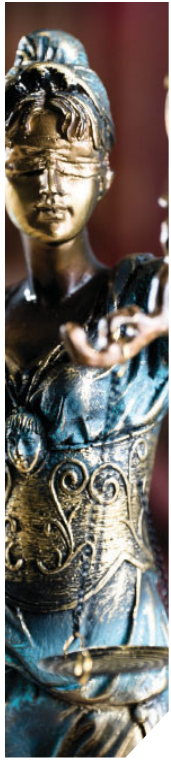
Family mediation is a process where an independent, professionally trained mediator helps you work these things out, enabling you to avoid courtroom confrontation. Professional mediators help empower you to create long term solutions for your particular circumstances, rather than leaving it to a court to make decisions for your family.

Scott Bailey is also taking part in the Ministry of Justice's Family Mediation Voucher Scheme, which meets up to £500 of mediation costs for families if they need to discuss arrangements for children.



• Sarah Unsworth

Anyone wanting to know more about the benefits of family mediation can visit **www.scottbailey.co.uk** or call **Sarah Unsworth** or **Ann Herd**, both accredited mediators on **01590 676933** for a preliminary chat about how the process works.

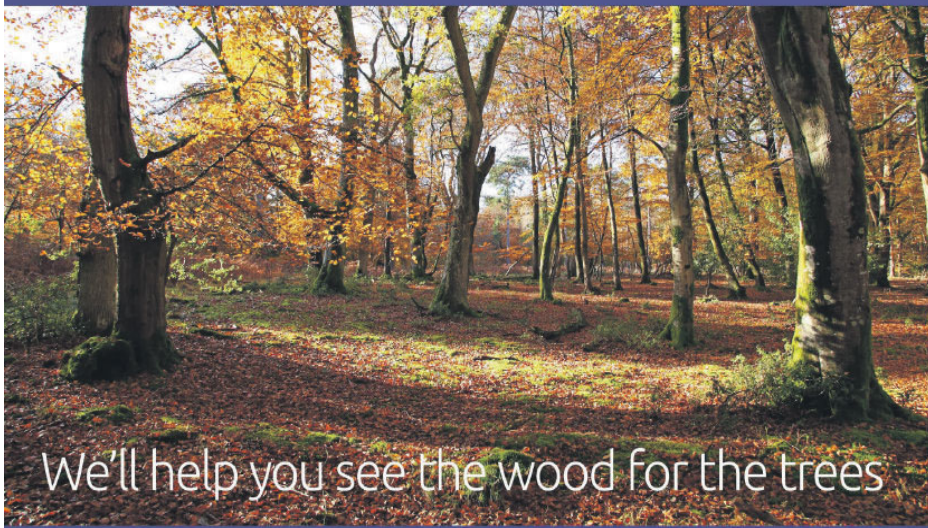


# CELEBRATING 130 YEARS 1893 - 2024

## Our Lymington Office are celebrating by moving back into the town centre.

### HEPPENSTALLS SOLICITORS

Conveyancing | Wills | Powers of Attorney | Probate



We'll help you see the wood for the trees

Our team of dedicated specialists are committed to providing straightforward and practical advice to help you find a clear way forward.

**scott  
bailey**  
LLP

scottbailey.co.uk  
01590 676933

63 High Street, Lymington SO41 9ZT



SOLICITORS | MEDIATORS | NOTARIES