



VOISIN LAW

LASTING POWER OF ATTORNEY (LPAs)

A Lasting Power of Attorney is a document whereby one person (the Donor) appoints and authorizes another (the Attorney) to make decisions and act on their behalf. There are two types of LPA in Jersey: Health & Welfare and Property & Financial Affairs. LPAs form an important part of your Estate planning and are becoming increasingly common as cases of dementia and other mental illnesses are on the rise. If you do not have an LPA and your capacity to make decisions is impacted in some manner then the court would need to formally appoint a “delegate” for you, which would result in delay. By having an LPA it is your choice who will act for you and you can give them guidance in the LPA.

Basic LPAs

£600 + GST for each LPA

Our ‘basic’ LPAs comprise:

- Appointment of Attorney
- Appointment of Replacement Attorney
- Inclusion of our standard recommended preferences and instruction
- Advice on all relevant provisions
- Witnessing of donors and Attorneys signatures

Tailored LPAs

Charged on a time spent basis subject to your circumstances. Fees usually start from £900+GST.

As for basic LPAs plus advice and inclusion of provisions for:

- Business matters
- Family or estate planning considerations

Examples

Mr & Mrs A

Mr & Mrs A have two children both of whom are over 18. They own their own house. They want to name each other as their Attorney failing which their two children as their Replacement Attorneys, jointly and severally. Mr & Mrs A’s requirements fall within our definition of ‘basic’ LPAs.

Ms B

Ms B is single. She has no children. Ms B runs her own business and has a number of employees. Ms B wants to appoint her friend as her Attorney for her personal financial affairs and another person as her Attorney for her business affairs, with detailed preferences and instructions in respect of her business. She will be charged on a time spent basis.

Mr & Mrs X

Mr & Mrs X both have children from previous relationships. Mr X does not have a relationship with his children and does not benefit them in his Will. Mr & Mrs X wish to appoint each other as their Attorney, and Mrs X’s children as the Replacement Attorneys. Mr X has already been diagnosed with early signs of dementia.

Jersey Law states that a deceased person should benefit their spouse / children upon death and there are claims that can be made by a child or spouse not named in a Will. Advice is given to the clients regarding the structuring of assets for Estate Planning purposes and the LPA requires tailoring to ensure that the Attorneys manage the assets accordingly. Mr & Mrs X will be charged on a time spent basis.



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