



Peace of mind for  
you & your loved ones

Wills | Probate | Asset Protection

OXLEY &  
COWARD



## Peace of mind in tough times

**It is natural to be concerned about your future care, or care for your loved ones, as you become older.**

When it comes to legal matters, our advice is to make sure you've got cover in place, avoiding problems arising at what may already be a time of crisis.

At Oxley & Coward our solicitors take a sensitive, professional and transparent approach. Whether it's advising you on the preparation of your Will, Lasting Power of Attorney or Court of Protection application, or giving you the advice needed to deal with the administration of a loved one's Estate.

### **Wills**

If you die without having a Will in place (intestate), the law will decide to whom your Estate passes. Many assume that it automatically pass to their nearest and dearest, however this is not always the case. Whether you require a simple Will, or something more complex, involving Trusts and protection of

assets, our expert team offers sensitive, professional yet practical advice tailored to meet your individual requirements.

***Having a professionally drafted Will in place is the best way to ensure peace of mind.***

### **Lasting Powers of Attorney (LPA)**

Completing a LPA, and having it officially registered, is the way to ensure that the people you trust (your Attorney/s) can make important decisions on your behalf if you become mentally or physically incapable of doing so. There are two types of LPA, Property and Affairs and Health and Welfare.

Once registered, a Property and Affairs LPA can be set up to allow your Attorney to act on your behalf, including managing a bank or building society account or, paying your bills. Having an LPA in place does not restrict your right to control your affairs as long as you are able to do so.

A Health and Welfare LPA provides the option of authorising your Attorney to give consent (or refuse consent) to life sustaining treatment if it is in your best interests. It can only be used after registration and, if you are unable to make or communicate your own decisions in the future.

We can tailor-make either type of LPA. For example, we can include legally binding conditions where appropriate or, non-binding guidance, as words of comfort for you.

### **Court of Protection Applications**

There may come a time when a family member or friend is unable to make significant decisions for themselves. Illness, such as dementia, a stroke or perhaps an accident or brain injury, are all too common.

Without a Lasting or Enduring Power of Attorney in place, it may be necessary for an application to be made to the Court of Protection. In this case an appropriate Order is obtained to authorise a Deputy to act on their behalf and in their best interests.

Appointed by the Court of Protection, the Deputy manages the property and affairs, and in some cases the Health and Welfare, of someone who lacks the mental capacity to make their own decisions. A Deputy is usually a family member or friend, but in some cases it can be a Solicitor or other professional.

Jayne Jackson is an  
accredited member of  
Solicitors For The Elderly.

Contact Jayne on  
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You can apply to be appointed as Deputy for your loved one, and if you are appointed, you will receive a Court Order advising on what you can and cannot do, to act in a person's best interest, as set out in the Mental Capacity Act 2005 and the Mental Capacity Act Code of Practice.

We have a wealth of experience in applying for Deputyship orders and are happy to advise you on individual circumstances. Our partners are also professionally appointed Deputies experienced in the practices of the Court of Protection and the Office of the Public Guardian.

#### **Estate Administration**

When a loved one dies, we understand that it can be one of the most emotionally distressing times of your life. Probably the last thing on your mind is dealing with their property and affairs. Unfortunately, at some point these matters have to be addressed, and we can help and assist you throughout this process.

If your loved one has left a Will, you will probably be told by various institutions that they require sight of a Grant of Probate. If they have died without a Will (intestate) they will be asking for a "Grant of Administration" or a "Grant of Representation".

As well as administering their estate or advising on the provisions of the Will, we can discuss with you the duties and responsibilities of Executors named in the Will, or Administrators on intestacy.

We can apply to the Court for the Grant of Representation, collect in assets, distribute the estate in accordance with the terms of their Will (or the rules of intestacy) and advise on taxation issues.

*Ultimately, we can assist you as little or as much as you wish, at different levels dependent on your needs, and in such a way that you can decide how we help you.*

## About Oxley & Coward

**Oxley & Coward Solicitors LLP is one of the longest established Law firms in South Yorkshire having been founded in 1791.**

For over 200 years, our Yorkshire lawyers and solicitors have operated throughout the country.

We are based in Rotherham and offer a quality legal service to individuals and businesses.

We continue to invest in our staff and state of the art technology to enable us to deliver our services in a way which suits you wherever you are.

Our solicitors and lawyers are highly regarded across all of our departments, and Oxley & Coward Solicitors LLP are committed to offering the very best service to clients.

We are members of LawNet, the UK's pre-eminent group of law firms. This allows us to access specialist knowledge and experience and pass on this added value to our clients.

Many of our clients have been with us for generations. Clients can be sure to receive an excellent service at a competitive rate, with a focus on establishing an individual and ongoing relationship between you and our lawyers and solicitors.

At Oxley & Coward we pride ourselves in providing high quality legal services to both individuals and businesses.

We have the expertise and experience to help. We aim to provide clear advice and practical solutions you can trust. Our commitment to quality is also matched by our aim to provide excellent value for money.

## Services For Individuals

- Personal Injury
- Residential Property
- Wills, Probate & Asset Protection
- Family Law
- Criminal Defence

## Services For Businesses

- Company Commercial
- Commercial Property

## Services For Businesses or Individuals

- Dispute Resolution
- Employment Law

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