an overview of the Court of Protection

The Court of Protection is a specialist court which makes decisions concerning the health, welfare and finances of people who lack the capacity to make decisions themselves.

Regularly individuals put in place arrangements, such as Wills and Powers of Attorney, to ensure that their affairs and wishes are carried out on death or should they lose mental capacity. Unfortunately many people fail to make appropriate preparations and this can cause difficulty if they lose mental capacity.

It is then that assistance from the Court of Protection may be sought, for example, to appoint a Deputy or Deputies to manage the financial affairs and/or make decisions in relation to the health and welfare of the incapacitated individual. The court can also make decisions on specific issues and in exceptional circumstances can authorise a will to be prepared for the person who lacks capacity (known as a 'Statutory Will').

Latimer Hinks has an experienced and dedicated team specialising in matters where, due to accident, illness or old age, capacity is an issue.

We advise clients and family members on all aspects of Court of Protection proceedings including:

- Preparing and managing applications to the Court for family members, close friends and professional persons to be appointed Deputies.
- Acting as professional Deputies for clients to manage their financial affairs and property.
- Acting for clients in cases of financial abuse and undue influence.
- Assisting Deputies with the completion of annual accounts, record keeping and Tax Returns.
- Preparing Statutory Will applications.
- Obtaining Orders from the Court allowing Deputies to make gifts (for estate and tax planning purposes).
- Assisting in trust matters where there are Trustees and Beneficiaries who lack capacity.
- Acting in property related matters to enable the sale or purchase of personal, business and trust property.
- Acting for clients who have received compensation from a personal injury award.

For your peace of mind...
Latimer Hinks legal professionals are members of recognised specialist practice organisations, including:

**Society of Trust & Estate Practitioners (STEP)**
The most experienced and senior practitioners in the field of trusts and estates.

**Association for Contentious Trust & Probate Specialists (ACTAPS)** - Lawyers specialising in contentious trust and probate work.

**Solicitors for the Elderly (SFE)** - Committed to providing and promoting robust, comprehensive and independent advice for older and vulnerable people, their families and their carers.

All of our private client team are **Dementia Friends** and we also have a **Dementia Champion**

Whatever your requirements you can contact our specialist team for a no obligation telephone consultation.
Welcome to the Latimer Hinks Court of Protection Team. The team is part of the largest Department within Latimer Hinks - the Private Client Department. The Team deals with Court of Protection matters but can also offer advise on Wills, Trusts, Probate (including Contentious Probate) Lasting Powers of Attorney (LPAs) and tax and succession planning.

- **Natalie Palmer, Partner** - heads the Court of Protection Team and specialises in Wills and Probate (including IHT planning), in long term care, elderly Client issues, Court of Protection work and asset protection.

- **Helen Thomas, Solicitor** - is one of only a handful of members of ACTAPS in the Tees Valley area. Helen specialises in probate, contentious and non-contentious probate and Court of Protection work.

- **Daniel Williams** - specialises in Probate and Court of Protection work, Wills, Trusts, Inheritance Tax Planning and Elderly Client issues.

**Contact Details:**
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(Our address and telephone details are below.)

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**For your peace of mind...**
Most of the Latimer Hinks legal professionals are members of recognised specialist practice organisations, including:

**(ACTAPS) Association for Contentious Trust & Probate Specialists**
ACTAPS provides clear guidance for solicitors dealing with contentious probate cases, no matter which party they are acting for, and also provides a focus on the basis of court proceedings being the last resort.

**(SFE) Solicitors for the Elderly**
SFE are committed to providing and promoting robust, comprehensive and independent advice for older and vulnerable people, their families and their carers.

**(STEP) Society of Trust & Estate Practitioners**
STEP are the most experienced and senior practitioners in the field of trusts and estates.

As well as the above we also have a **Dementia Friends Champion (Natalie Palmer)** - a volunteer who encourages others to make a positive difference to people living with dementia in their community.