



“I want all our clients to be treated in the way I would want to be treated. We combine modern legal services with a proactive, approachable manner.”

Tim Bishop, Senior Partner



Do I need a Lasting Power of Attorney?

Lasting Powers of Attorney are only for the very elderly, right? Wrong!

Many people think that powers of attorney are only for those in the twilight of life – but that is not the case. As with all things, a little planning now can be of great benefit in the future and make life easier for you and your family. Making a Lasting Power of Attorney (LPA), whatever your age, can bring you peace of mind in the knowledge that you have secured arrangements for the future, whatever it may bring.

Looking after your finances and welfare

An LPA enables you to appoint the person or people of your choice to manage your affairs in the event that you are unable – through accident, illness or absence – to manage them yourself. There are two types of LPA; Property and Affairs, by which you can appoint attorneys to look after all things financial, and Health and Welfare, which enables you to appoint people to make personal decisions for you (it is worth noting that you can authorise your attorneys to give or refuse consent to life sustaining treatment if you are ill and have no prospect of recovery, as we receive many enquiries asking about this).

Don't delay

LPAs cannot be used until they have been registered with the Office of the Public Guardian – a somewhat slow process and so it is vital that clients make their LPA well before it may be needed. Don't delay – contact us today.

For more information, or to book an appointment to make an LPA, call:

Salisbury	01722 422300
Andover	01264 364433
Amesbury	01980 622992

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SPECIAL OFFER

We believe that everyone should have an LPA and so we are offering all readers an exclusive discount on the price of a straightforward Lasting Power of Attorney. Simply call our Salisbury, Amesbury or Andover offices before the end of March 2012 and book an appointment and we will prepare your LPA for just £400 – a 20% saving on our normal charge. ”

Tell me about...the Court of Protection

The Court of Protection is a specialist Court dealing with issues relating to people unable to make decisions for themselves. The Court is not just responsible for elderly people who lose capacity due to dementia or similar conditions; they are responsible for people of all ages, who may lose the ability to look after their own affairs following an accident in which they incur a brain injury, or who suffer from a condition such as post traumatic stress disorder or cerebral palsy.

The Court can make decisions about the investment of money for example, or how money should be spent, and can also appoint deputies. A deputy is someone appointed by the Court to manage the affairs of someone unable to manage them for themselves.

If someone loses the ability to manage their affairs, and has not made a Lasting or Enduring Power of Attorney, then a member of their family, their solicitor, or social services can apply to the Court of Protection to be appointed as their deputy; ultimately the decision as to who is appointed is down to the Court. If a valid power of attorney exists, no Court application is required, and the appointed attorneys can take over without further ado, without the Court's involvement.

Court of Protection applications are expensive (the Court fees alone for deputy appointment are over £500) and time consuming; it can often take 4 months for the procedure appointing a deputy to be completed, and the deputy comes under close scrutiny from the Court, making the role time consuming. An application



is, however, the only option where someone needs help but failed to make a power of attorney.

Our advice to everyone is to make a Lasting Power of Attorney, so you can be confident that if the worst happens, someone you trust can look after things for you with the minimum of fuss and bother.

For more information, call:

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5 Top Tips on Using Your Solicitor Effectively

Tip 1 - Don't rely on price alone

Don't pick your solicitor on the basis of the cheapest fixed fee or hourly rate. Instead, ask friends and family for recommendations, do some internet research and have a good look at the firm's web site. Do ring the law firm and talk to the solicitor who would deal with your case - you will soon get a sense of whether or not you would feel comfortable to work with them and accept their advice.

Tip 2 - Choose specialists

The internet is particularly useful for this and most well-run law firms provide plenty of information about specialisation - if they don't even have a website, what does that say about the way they run their business? For specialist areas of law like collaborative law divorce and medical negligence claims, check if the solicitors have relevant panel or specialist professional association membership. In particular, beware of

one-man bands appearing to cover a huge area of work - unless they are specialist firms. Any individual running divorce, conveyancing, business and personal injury cases, for example, is unlikely to be up-to-date with developments in all these areas. You wouldn't trust your local GP with brain surgery would you?

Tip 3 - Produce the right documents

When booking the first appointment with your solicitor, ask them to list exactly what identification, documentation, or evidence they need to see - so you can bring these with you and prevent an unnecessary second visit to deliver these documents.

Tip 4 - Prepare for your appointment

Before your first appointment, think about your issue carefully, so you use your time with the solicitor effectively. Produce a list of burning questions that you need answers to

as a priority. If your case involves events over a period of time, it is a good idea to write a timeline of what happened. This will help your solicitor avoid wasting time and your money in trawling through dates and times during your meeting.

Tip 5 - Check on the progress of your case

Don't be afraid to check on the progress of your case. If you feel you are not being kept adequately informed, raise this with your solicitor. Remember - you are the client and you are paying the bills - so you need to be satisfied with the both information on the progress of your case and the legal advice you receive.

New Out Of Hours Divorce Service

For those people needing specialist divorce advice outside of office hours, our family solicitors have launched a new service - just call 0780 7783805 anytime between 5pm and 9pm during the working week or 9am - 3pm on Saturday and Sunday

Boundary Dispute Specialists



Boundary disputes with your neighbours can be distressing and are getting more common. These cases can be protracted and expensive if they end up at court. It's essential to get early advice from Solicitors who understand this complex area. We have the experience to help with cases ranging from straightforward issues around overhanging trees to more complicated cases involving determining the correct boundary line of your property or issues regarding trespass.

How we can help you

We can tell you if your case is worth pursuing or defending. Subject to your instructions, we will try to

resolve issues by negotiation – but if necessary will fight your corner in court. Our team can help with a full range of boundary disputes including:

- Fence disputes
- Right of way issues
- Neighbours' tree problems
- Party wall disputes
- Problems regarding access to your neighbour's property

For more information or advice, you can contact Nigel Mills on 01722 422300 or email him at: nigelmills@bishopsllaw.com

Our Boundary Dispute Tips

- Prevention is better than cure. If you are thinking of planting a new fence or hedge, do try and have a chat with your neighbour first. This could pre-empt any objection
- When building a fence, make sure the posts are completely on your land and on your side of the fence
- In planting a new hedge, try and plant it a minimum of 1.2m inside your boundary line - making it less likely to grow over your neighbour's land. It's also a good idea to try keeping any hedge to a maximum of 3m high
- If you are uncertain where your boundary lies, the starting point is your title deeds which you can get for about £8 from the Land Registry at www.landreg.gov.uk. You can also get a copy of anybody else's title deeds for the same price – provided their land is registered - and they won't be informed that you have got a copy of their deeds

Free Wills for the Over 75s - Working with Age UK

In association with Age UK, we are offering everybody over 75 years of age the chance to have a will drawn up by our solicitors completely free of charge.*

It is surprising how many people over 75 don't have a valid will, and don't appreciate the importance of making one. Dying intestate (i.e. without a will) makes life a lot more complicated and expensive for your

family, and your estate may not be distributed as you would wish. This is a great opportunity for people to organise their affairs - not only putting their own minds at rest but reducing the stress for those responsible for your affairs in future.

The offer applies:

- Between **12th - 23rd March** in our Salisbury, Andover and Amesbury offices an exclusive

- offer for readers of this newsletter
- Every Tuesday in March at the Salisbury Age UK Brown Street office
- Every Friday in March at the Andover Age UK Bridge Street office

Contact:

Salisbury Office	01722 422300
Andover Office	01264 364433
Amesbury Office	01980 622992
Age UK Salisbury	01722 335425
Age UK Andover	01264 354425

* The offer applies to straightforward wills only, and appointments must be made.

Free Wills and Deeds Storage

Unlike your bank, we are happy to store your will and house deeds free of charge in fireproof storage - regardless of whether or not we prepared your will.

e-Newsletters

We intend to produce regular printed newsletters and 3 e-mail newsletters every year.

If you want to be added to our e-mail newsletter list, just e-mail jennifer.slater@bishopsllaw.com with the subject heading "Subscribe to private client newsletter".

Free Downloads



Download your FREE copy of:

29

Common Mistakes People Make when Moving Home

Visit:

www.bishopsllaw.com

Wills & Relationships

The critical importance of a regular will review

It probably seems logical that if you divorce, any gifts in your will to your former husband/wife automatically fail. The position if you marry, however, may seem less obvious.

Marriage automatically revokes your will

Unless you made your will in full contemplation of your plans to marry. A properly drafted will should contain a statement to this effect.

A true story

Mr X, lived with Ms Y. He made a will appointing Ms Y as the sole executor and beneficiary of his estate. The will was not made in contemplation of marriage. Mr X and Ms Y subsequently married, and Mr X never thought to update his will –

to him, as to most people, it seemed logical that if he was marrying the person the will left everything to, there could be no problem.

Unfortunately, the law says that marriage automatically revokes a will and so at the point Mr X married, he became intestate. Tragically, Mr X died unexpectedly and Ms Y found herself in a nightmare situation. The inflexible intestacy rules meant that she was left sharing the estate with a family member of Mr X, from whom he was estranged and had not seen for over 10 years. She was not even entitled outright to the home in which she and Mr X had lived for many years.

Many people think that if they live with someone, their partner will inherit what they own if they die as their “common law” husband or wife.



There is no such thing as a “common law” spouse and partners inherit nothing if you die - unless you have made a will benefiting them.

So if you live together, marry or divorce – always remember to review your Will.

A quick phone call to one of our wills specialists to see if you need a new will is absolutely FREE – call:

Salisbury	01722 422300
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Amesbury	01264 364433

Thinking of making a Professional Negligence Claim?

Visit our specialist website: <http://professional-negligence-claim.co.uk>

BONALLACK & BISHOP

SOLICITORS

Salisbury:

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Queensberry House, 5 Salisbury
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E-mail: amesbury@bishopsllaw.com

Our business specialities include:

- Commercial Law
- Commercial Property
- Commercial Litigation
- Employment Law
- Intellectual Property

Our private specialities include:

- Buying and selling a home
- Divorce & Family Law
- Employment Law
- Litigation & Disputes
- Medical Negligence
- Personal injury
- Wills & Probate

Free Drop In Legal Surgeries

Salisbury: Tuesdays, 5.15-7pm

Amesbury: Wednesdays, 2-5pm
(Family Law only)

Andover: Wednesdays, 5.15-7pm

I didn't know you did that - no-win no-fee contested probate claims

At Bonallack and Bishop, no win no fee is not just for accident compensation and medical negligence claims. We also run contested probate, will contest or inheritance claims on no win no fee agreements (where appropriate). Call our specialist team today on 01722 422300.

FREE Surgeries

We run hugely successful weekly free legal surgeries at our offices in Salisbury, Andover and Amesbury. These clinics enable people to drop in for a meeting with one of our experienced team, and get free legal advice on issues they may be worried about outside normal office hours.

The Amesbury surgery on Wednesdays is aimed specifically at those with family law problems, such as separation and divorce. The Salisbury and Andover surgeries cover all areas of law.