



Court of Protection deputies

Property and affairs

Following a serious injury or illness, a person in your life may no longer be able to manage their own property and financial affairs. If this happens, they may need support from someone else.

The Court of Protection (COP) can appoint a deputy to take responsibility for decision making if a person lacks mental capacity.

What does the COP do?

The COP's main role is to ensure that people who lack capacity aren't exploited and that decisions are always made in their best interests. We can advise and assist in a range of situations that affect people who are under its jurisdiction.

In some circumstances, the COP may be asked to make a one-off decision, such as whether a gift can be made or for a statutory Will to be put in place. If decisions are likely to arise over an extended period, a property and affairs deputy will usually be appointed.

What is a property and financial affairs deputy?

A property and financial affairs deputy can make decisions on behalf of a person who can't make their own decisions due to mental incapacity.

A deputy can look after bank accounts, pensions, investments and property and they can also support with claiming welfare benefits, or public funding for care and other state support.

Your team of experts

We can help you apply for a deputyship, or if you are already a deputy, we can help you with your duties. We can also act as a deputy in complex cases, where there is no other suitable deputy, and when a deputy wants to give up their duties.

We understand that applying for deputyship can be confusing, stressful, and upsetting. Our experienced team of legal specialists are here to help and guide you throughout.

Our specialist legal advice covers:

- COP applications
- The appointment of property and financial affairs deputies
- Benefits advice for those under the COP
- Local authority, NHS and other public funding
- Seeking appropriate investment advice
- Completion of annual tax returns
- Completing COP annual deputy reports
- Appointment of case managers, support workers and other professional therapists
- Putting a Will in place for someone who lacks capacity to do it for themselves
- Managing local authority direct payments
- COP applications for sale and/or purchase of property/ dealing with property owned jointly
- Advice on representation in COP proceedings.

We can also advise you on the appointment of deputies for health and welfare.



My solicitor was tremendously prompt and supportive throughout the process and very much aware of what needed to be done. I was well prepared in advance of my role of Deputy.

Malcolm

5* Trustpilot review

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