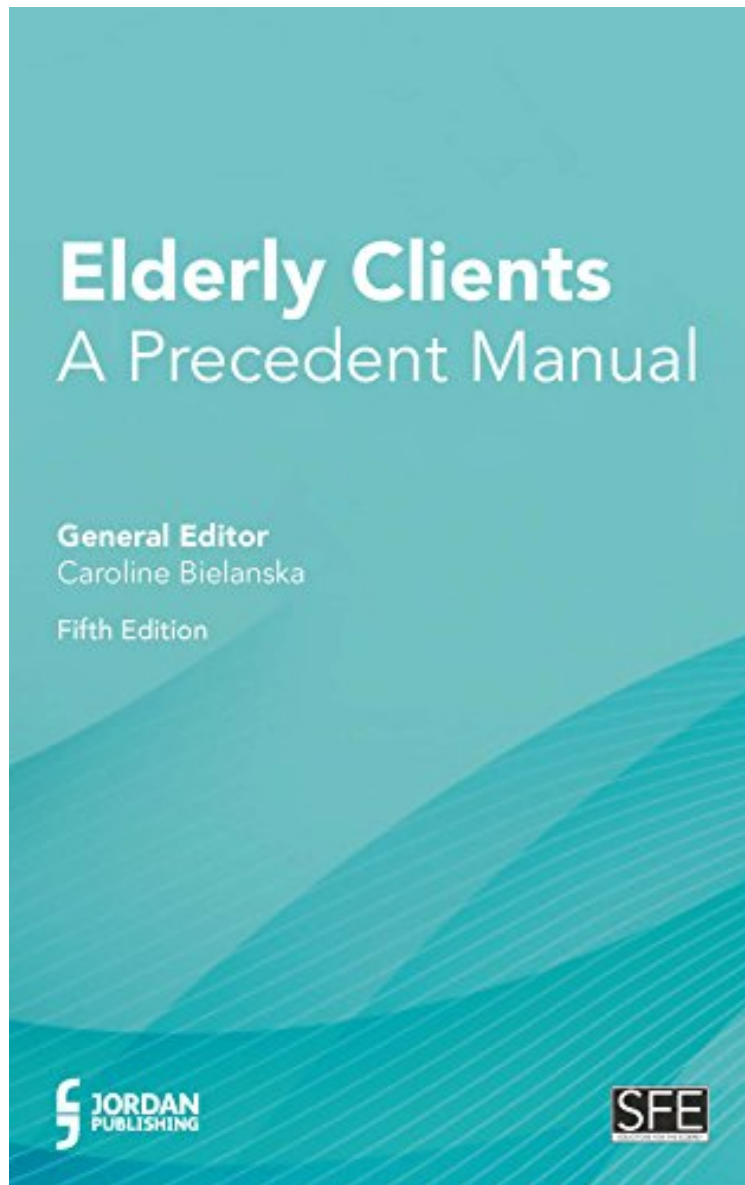


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Elderly Clients: A Precedent Manual (Fifth Edition)

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0 of 0 people found the following review helpful. A GREAT PRECEDENT MANUAL ON HOW TO ADVISE OLDER CLIENTS AS WE ALL LIVE LONGER TODAY....By Phillip Taylor MBEA GREAT PRECEDENT

MANUAL ON HOW TO ADVISE OLDER CLIENTS AS WE ALL LIVE LONGER TODAY An appreciation by Phillip Taylor MBE and Elizabeth Taylor of Richmond Green Chambers We are privileged that Denzil Lush (now retired) began this tremendously helpful work 20 years ago when he wrote the first edition single-handedly. The excellent Caroline Bielanska has now undertaken the editorship with her five fellow contributors: Holly Mieville-Hawkins, Hilary Hughes, Martin Terrell, Jonathan Wilkey and Heledd Wyn. As Lush points out, there has been a fundamental and recent change in the attitudes concerning the work of the Court of Protection since the appearance of the first edition. He mentions that he used to get teased by the partners for doing Court of Protection work because they thought the subject matter was more appropriate for articles clerks or managing clerks in a relatively quiet backwater. Of course, the reason for the change in attitude and approach is now all too apparent. The figures Lush gives paint the picture of the new landscape: in 1996 there were 8,921 applications to the court to register Enduring Powers of Attorney (EPAs). And by the financial year 2014/15, the Office of the Public Guardian (OPG) received some 16,000 applications to register EPAs. However, as he remarks, that was small beer compared with the 395,000 applications the OPG received to register Lasting Powers of Attorney (LPAs). And the figures are growing for it is anticipated that for 2015/16 the number of LPA applications will exceed the half million mark. The stark truth is that we are living longer so it is most timely that the new edition of the precedent manual for elderly clients is published. There are also words of thanks to be given to Jordan for the publication of their Elder Law Journal launched in 2011 which is a major source of information for practitioners and advisers to go with this work. In addition, for those who are unaware, the organisation Solicitors for the Elderly (SFE) now has over 1,500 members and they are rightly thanked by Lush for continuing to support this book. The title begins with a most important introduction the ageing of the population has enormous implications for the future structure of society, the family, the work-force and public spending and the contributors explain the population structure in detail. It was popular some 50 years ago to give grim warnings of the population explosion and we now have the results of some of those predictions today which is why we believe this book is of such significance. The final word is best left to Denzil Lush who says in a rather touching comment: growing old is characterized by a gradual diminution in the range of activities at which one was previously competent, and an increasing need to invoke the assistance of others. Wise words, not just for this highly practical book and its continued success but for all of us as the years pass for we understand, as do the authors, of the rapidly growing interest in this area of law which will not diminish in the years to come. Thank you to everyone involved in the production of this new edition. The date of publication is 2016.

Elderly Clients: A Precedent Manual provides a wealth of precedents which will assist the private client adviser in tackling the whole range of issues affecting the elder client in the UK. These include the difficult and ever-changing problems of planning for a client's possible incapacity in later life, gifts, care contracts, sharing accommodation, funeral planning, wills, and equity release schemes. In addition to the precedents, the legal framework underpinning each area is set out in clear terms and is accompanied by useful checklists to assist the adviser in matters such as what to consider when making an application for a statutory will and establishing whether the client has capacity to make a will, gift, or lasting power of attorney. Each chapter of this new edition has been thoroughly revised to take account of major developments, including: Deputyship - new Court of Protection rules; Capacity - raft of case-law developing under the Mental Capacity Act 2005; Lasting Powers of Attorney - new forms from July 2015 and emanating case-law; Gifts - implementation of the Care Act 2014 and Social Services and Well-being (Wales) Act 2014; and Care Homes - changes to the regulation of care. A CD-ROM containing all of the precedents is included, enabling quick access and an easy ability to tailor each to suit the user's needs. [Subject: Elder Law, Health Law, Social Welfare Law, Inheritance Law]