THOMAS DUNTON SOLICITORS
ESTABLISHED 1978

NEWSLETTER

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How can we help?

NEVER has that question been more important. The Covid pandemic has made us all rethink our lives, and the law and how it can help us has become more important in helping us keep control of our lives.

Whether it's to write the will that you've been putting off, the LPA that could prove useful in the future, or a house move that will take advantage of the Government's stamp duty holiday, the law has proved integral in making these things happen. With that in mind, here's our spring newsletter. A short, and hopefully, informative read on some aspects of the law that may prove useful.

We're still here during these uncertain times.

The Thomas Dunton Team



Lasting Powers of Attorney

WE all want to be in charge of our future, but what happens if we are unable to make decisions for ourselves?

A Lasting Power of Attorney is designed to help you keep in control of your future. It is a powerful legal document which gives authority to another person to manage your affairs and make decisions in your best interests if you should ever be unable to do so yourself.

This person is known as your attorney. You can appoint an attorney to carry out a specific action, for example, to act on your behalf in a property transaction or to make decisions about your medical treatment or care.

There are two types of LPAs: Lasting Powers of Attorney for Property and Finance; and Lasting Powers of Attorney for Health and Welfare. Both allow you to leave important decisions to those you trust, and not to chance.



It pays to be divorce savvy

WHEN faced with a divorce, there is much to consider. It is an emotional and upsetting time, and there is often a desire to move on as quickly as possible.

And yet, what is financially agreed can impact your life for a long time to come. So, here are some general tips to agreeing a fair financial settlement:

- Always make an informed decision by engaging your own legal representation
- Consider mediation to achieve an amicable outcome. Remember to speak to your solicitor first to make sure you enter discussions armed with sound legal advice
- Factor in pensions: they can be either shared/transferred or their value can be included in a settlement, leveraging more of the available assets, such as the family home
- Remember that pensions and property are two different types of assets. They cannot be set off pound for pound
- Be transparent about your income, pensions and savings. Ask your ex-spouse to do the same
- Plan ahead: think about what your financial needs will be, not just next year, but in the next 20 years.
- And finally - engage with, and trust your solicitor, they are on your side

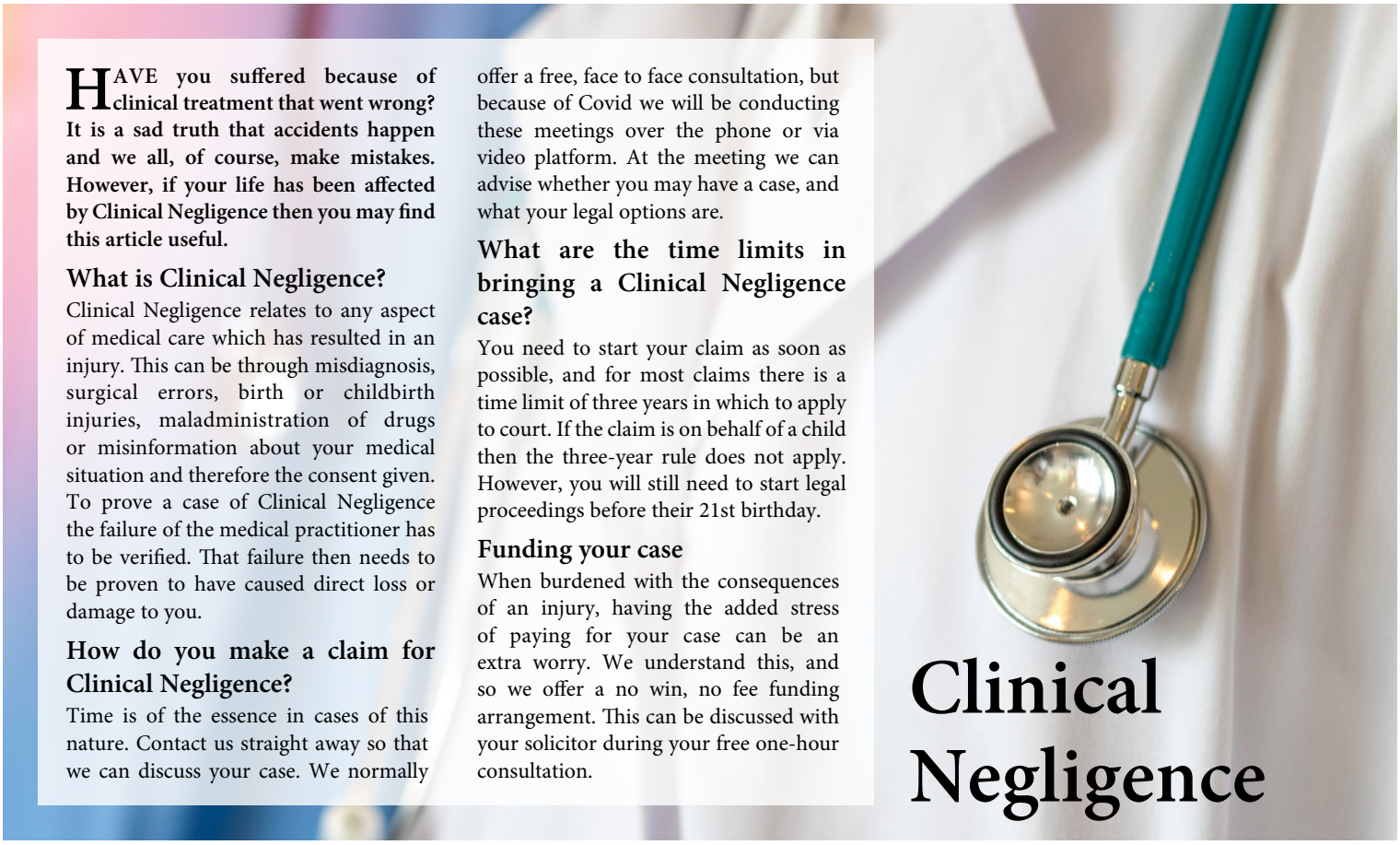
Are you moving home?

BUYING your home is one of the most exciting times of your life and it will probably be your biggest expense too. So it's important that you choose the right solicitors' firm. Here are five key considerations to help you make the right decision:

- Make sure that their quote is simple and includes ALL foreseeable costs
- Always check that a legal professional will be handling your case
- Ensure that you can speak to them directly and have their direct line and email. This is important if you require an update urgently
- They should confirm they have an excellent relationship with local estate agents so that things are kept on track and progressed quickly.
- Ideally they will have the Law Society's accreditation for Conveyancing Quality and have passed their Lexcel audit. This will provide peace of mind that your case is dealt with by professionals who adhere to enhanced standards of professional conduct

At Thomas Dunton the above is standard practice.

The information in this newsletter is of a general nature and may not relate to your individual circumstances. Please also note that details may change.
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Clinical Negligence

HAVE you suffered because of clinical treatment that went wrong? It is a sad truth that accidents happen and we all, of course, make mistakes. However, if your life has been affected by Clinical Negligence then you may find this article useful.

What is Clinical Negligence?

Clinical Negligence relates to any aspect of medical care which has resulted in an injury. This can be through misdiagnosis, surgical errors, birth or childbirth injuries, maladministration of drugs or misinformation about your medical situation and therefore the consent given. To prove a case of Clinical Negligence the failure of the medical practitioner has to be verified. That failure then needs to be proven to have caused direct loss or damage to you.

How do you make a claim for Clinical Negligence?

Time is of the essence in cases of this nature. Contact us straight away so that we can discuss your case. We normally offer a free, face to face consultation, but because of Covid we will be conducting these meetings over the phone or via video platform. At the meeting we can advise whether you may have a case, and what your legal options are.

What are the time limits in bringing a Clinical Negligence case?

You need to start your claim as soon as possible, and for most claims there is a time limit of three years in which to apply to court. If the claim is on behalf of a child then the three-year rule does not apply. However, you will still need to start legal proceedings before their 21st birthday.

Funding your case

When burdened with the consequences of an injury, having the added stress of paying for your case can be an extra worry. We understand this, and so we offer a no win, no fee funding arrangement. This can be discussed with your solicitor during your free one-hour consultation.

5 times when you need a solicitor

❶ **Writing your Will** — A solicitor will write this powerful legal document for you, expressing your wishes on how to divide your estate upon your death

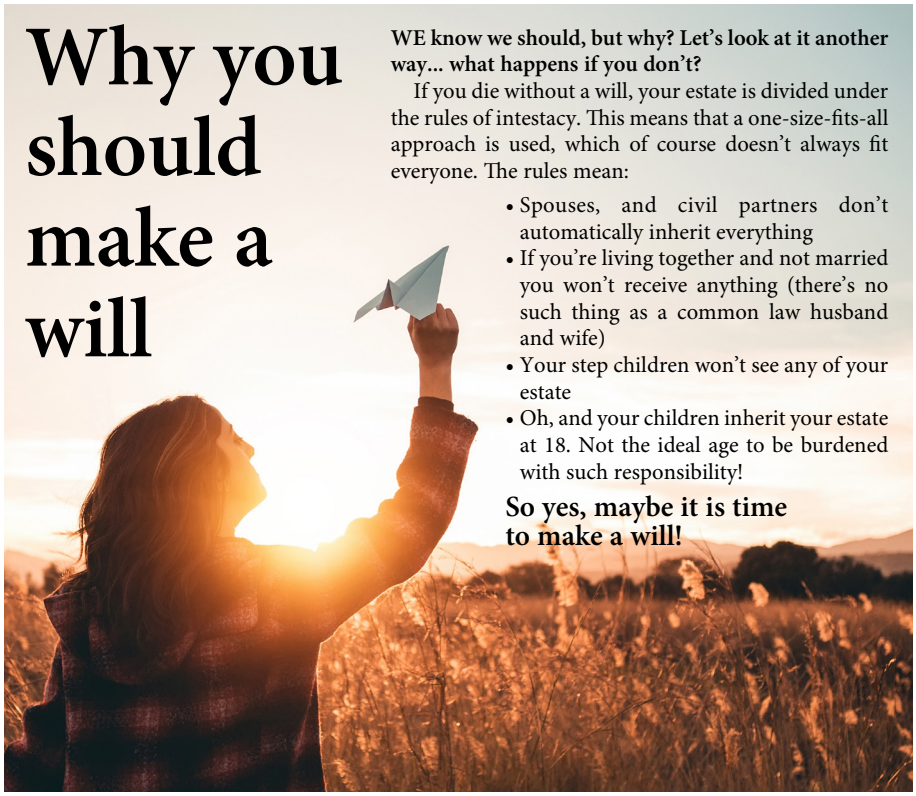
❷ **Buying or Selling a Home** — One of the most exciting, but also stressful times in your life. Solicitors are well versed in conveyancing and can ease the headache of moving home

❸ **Suffered an Injury** — If you have been injured through an accident that is not your fault, you may be eligible for compensation. A good personal injury solicitor will offer a personal and specialist service. At Thomas Dunton Solicitors we certainly do, along with a 'no win, no fee' fee structure

❹ **Changing your Family Circumstances** — Deciding to end a relationship can be a very difficult time in your life. A family solicitor can help by offering an expert hand to guide you through the divorce process

❺ **Employment Issues** — If you have been treated unjustly in the workplace there are laws to protect you

Why you should make a will



WE know we should, but why? Let's look at it another way... what happens if you don't?

If you die without a will, your estate is divided under the rules of intestacy. This means that a one-size-fits-all approach is used, which of course doesn't always fit everyone. The rules mean:

- Spouses, and civil partners don't automatically inherit everything
- If you're living together and not married you won't receive anything (there's no such thing as a common law husband and wife)
- Your step children won't see any of your estate
- Oh, and your children inherit your estate at 18. Not the ideal age to be burdened with such responsibility!

So yes, maybe it is time to make a will!

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