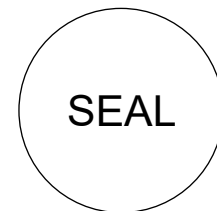


Court of Protection

Application form

For office use only
Case no.
Application no.
Date received
Date issued

Full name of person to whom the application relates (this is the name of the person who lacks, or is alleged to lack, capacity)



Your application will not be complete unless all the relevant forms and annexes, including where appropriate COP3 (and COP4), are submitted together with a fee or remission request (Please see guidance at the end of this form). Please submit the COP1 application form in duplicate.

This form is **not to be used** in respect of applications concerning deprivation of liberty (DoL) under section 21A of the Mental Capacity Act 2005 (the Act) relating to a standard or urgent authorisation under Schedule A1 or the streamlined application under section 4A(3) and 16(2)(a) of the Act. For those applications please visit our website at www.gov.uk/court-of-protection

Section 1 – Type of application

1.1 What type of application do you intend to make?

Deputy, proposed deputy or other:	Tick	Enclose Annex/ Form:
Appointment of deputy for property and affairs		COP1A
Property and affairs (where deputy not required)		COP1A
Appointment of deputy for personal welfare		COP1B
Personal welfare order (where deputy not required)		COP1B
Application relating to a statutory will, codicil, gift(s), deed of variation or other settlement of property		COP1C
Application relating to the appointment or discharge of a trustee		COP1D and COP12
Application by existing deputy		COP1E
Other applications		COP24

Enduring Powers of Attorney (EPA) or Lasting Powers of Attorney (LPA):	Tick	Enclose Annex/ Form:
Question of validity or operation of an EPA/ LPA		COP1F
Application relating to a statutory will, codicil, gift(s), deed of variation or other settlement of property		COP1C
Application relating to the appointment or discharge of a trustee		COP1D and COP12
Application by existing attorney		COP1E
Other applications		COP24

1.2 Do you require permission to make the application?

Yes, **you must complete section 6**

No

1.3 Do you require **urgent** interim order/directions?

Yes, complete the box below

No

Please state the order/directions sought and reasons for the urgency
– You can attach draft interim order/ directions

Section 2 – Your details (the applicant(s))

2.1 First applicant

Mr. Mrs. Miss Ms. Other

Full name

Address

Phone

Email

Your relationship to the person to whom this application relates
(eg Mother, Father, Brother)

Second applicant

Mr. Mrs. Miss Ms. Other

Full name

Address

Phone

Email

Your relationship to the person to whom this application relates (eg
Mother, Father, Brother)

(If more than 2 applicants, please continue on a separate sheet)

2.2 In what capacity are you making the application?

Proposed deputy/deputy

I am the person to whom this application relates

Attorney

Other (give details)

2.3 Please state **one** address that official documentation should be sent to at this stage (please note unless stated below the documentation will be sent to Applicant 1's address)

Applicant 1's address

Applicant 2's address

Solicitors address (if a solicitor is representing you, please give details below)

Other address (if you do not have a solicitor but have an alternative address you would like documentation to be sent to, please give details below)

Contact or Solicitors name

Address

Phone

Email

DX no.

Section 3 – The person to whom this application relates

3.1 Mr. Mrs. Miss Ms. Other

First name(s)

Last name

Address

Phone

Date of birth

Male Female

3.2 What type of accommodation is the person to whom the application relates living in?

(eg. Own home, rented, care home)

Date moved

Temporary Permanent

3.2 Is the person to whom the application relates:

Married or in a civil partnership

Date of marriage/civil partnership

Divorced or their civil partnership has dissolved

Date of divorce/dissolution

Widowed or a surviving civil partner

Date of death of spouse/civil partner

In a relationship with a person who is not a spouse or civil partner,
but living together as if they were

Single Separated

3.4 Please identify any previous Court of Protection proceedings in respect of the person to whom the application relates

Ref no.

Date of proceedings

Section 4 – Your application

4.1 What order are you asking the court to make?

4.2 If seeking appointment as a deputy

Sole deputyship

Joint deputyship

Jointly and severally

Section 5 – People to be served with/notified of this application

Property and Affairs Deputyship applications

If you are making a property and affairs deputyship application

- **on paper**, you must complete the tables at **question 5.1 (a) and (b)**
- for other types of application go to **question 5.2A**

5.1 **(a) The person to whom this application relates**

This is the person named at question 3.1 of this form. They must be personally notified by the applicant or an agent using form **COP14PADep**. The completed form **COP14PADEP** must be sent with the application form **COP1**.

Please see the guidance at the end of this form.

Who notified the person?

applicant

agent (attach a copy of the form **COP14PADep** that your agent used)

(b) Other people with an interest in the application

You must notify **at least 3 other people** with an interest in your application and supply them with form **COP15PADep**, or make an application using form **COP9** to dispense with notification.

Give details below.

See guidance at the end of this form.

Full name and address of the **first person** notified including postcode

Their relationship to the person that this application is about

Date they were sent form COP15PADep

How did you send them form COP15PADep? (e.g. by post, email or in person?)

Did they return form COP15PADep to you?	Yes	No
---	-----	----

I attach the returned form COP15PADep	Yes	No
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Full name and address of the **second person** notified including postcode

Their relationship to the person that this application is about

Date they were sent form COP15PADep

How did you send them form COP15PADep? (e.g. by post, email or in person?)

Did they return form COP15PADep to you?	Yes	No
---	-----	----

I attach the returned form COP15PADep	Yes	No
---------------------------------------	-----	----

Full name and address of the **third person** notified including postcode

Their relationship to the person that this application is about

Date they were sent form COP15PADep

How did you send them form COP15PADep? (e.g. by post, email or in person?)

Did they return form COP15PADep to you?	Yes	No
---	-----	----

I attach the returned form COP15PADep	Yes	No
---------------------------------------	-----	----

Full name and address of the **fourth person** notified including postcode

Their relationship to the person that this application is about

Date they were sent form COP15PADep

How did you send them form COP15PADep? (e.g. by post, email or in person?)

Did they return form COP15PADep to you? Yes No

I attach the returned form COP15PADep Yes No

Only complete 5.2A and 5.2B if your application **does not** relate to property and affairs

5.2A Give details of all persons who are to be served

Full name including title	Relationship	Full address including postcode

5.2B Give details of all persons who are to be notified of this application

Full name including title	Relationship	Full address including postcode

Section 6 - Permission

If you do not require permission, go to section 7

6.1 What are you seeking permission for?

to make an application to start proceedings?

6.2 What are your reasons for making the application?

6.3 How would the order you have set out in Section 8.1 of the COP1B (Supporting information for personal welfare applications) benefit the person to whom the application relates? Is there any other way this benefit could be achieved?

Section 7 – Attending court hearings

7.1 If the court requires you to attend a hearing do you need any special assistance or facilities?

Yes No

If Yes, please say what your requirements are. If necessary, court staff may contact you about your requirements.

Statement of truth

I understand/the applicant understands that proceedings for contempt of court may be brought against a person who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

I believe that the facts stated in this form and any continuation sheets are true.

The applicant believes that the facts stated in this form and any continuation sheets are true. **I am authorised** by the applicant to sign this statement.

Signature

A typed signature is sufficient.

Applicant

Litigation friend (where applicant is a child or a protected party)

Applicant's legal representative

Date

Day Month Year

Full name

Name of legal representative's firm

If signing on behalf of firm or company give position or office held

Guidance notes on completing form COP1 Application form

Please read the following notes carefully before completing form COP1 and making your application to the court.

If you wish to start proceedings in the Court of Protection, for most types of application you must complete form **COP1** and the relevant annex and file them with the court. Refer to Section 1 of the form and the table at the end of these notes to decide what forms you need to complete.

There is a different way to apply for appointment of a property and affairs deputy to manage a person's finances. This type of application should now be made online at www.gov.uk, although if you have difficulty with that, you may still make the application using form COP1 by post to the court.

Upfront notification for property & affairs deputy applications

If you wish to make an application for appointment of a property and affairs deputy, you will need to notify the person whom the application is about and at least 3 other people with an interest in the application **before** you make your application. This is the case whether you make you an application online or send it in by post. You need to complete your notification of all these people 14 days before you submit your application to the court.

You need to use form **COP14PADep** to notify the person that the application is about, and form **COP15PADep** to notify at least 3 other people about the application.

Note: The requirement to notify people before you send your application to court applies only to applications for appointment of a property and affairs deputy. It does not apply to any other type of application.

Other types of application

If your application relates to: **deprivation of liberty under sections 4A(3) or 21A of the Mental Capacity Act 2005**; an **objection** to the registration of a **lasting power of attorney**; or the **registration** of an enduring power of attorney, you need to complete a different application form.

If you have already made an application you'll need to complete a form COP9 Application notice for 'applications within proceedings'.

If you are **appealing** a Court of Protection decision, you need to complete form **COP35**, Appellant's notice.

Fees and expenses

You must pay a fee when you make an application. Refer to the leaflet **COP44** Court of Protection – Fees for details. The leaflet is available on www.gov.uk

If you are making a online application to be a property & affairs deputy you'll be able to pay your fee online.

You may need to pay for any legal costs or expenses you incur in connection with your application. In some situations you may be allowed to be reimbursed from the funds of the person to whom the application relates. If the court considers that you have acted unreasonably, it can order you to pay the costs of other parties.

How to complete form COP1

Type of application (Section 1)

Please indicate what type of application you intend to make by ticking the relevant box. If you need to make more than one application, for example to appoint a deputy, and appoint or discharge a trustee; you must submit separate applications.

The court cannot accept your application unless you send all the relevant forms with your application. Refer to the table at the end of these notes to decide what other forms you need to complete.

Your application (Section 4)

You need to state what order or declaration you are asking the court to make. In each case the court needs to decide whether the person to whom the application relates is capable of making a decision in relation to the matter to which your application relates.

Please provide specific details about what you want the court to do. For example, you may be asking the court to appoint a deputy, or you may want the court to order that the person to whom the application relates moves to a particular residence, or that a particular investment is made.

In each of the examples you would need to explain why the appointment of a deputy is required, or provide the particular details of the residence or investment.

You should also explain to the court why the order or declaration you are seeking will benefit the person to whom the application relates. If you are asking the court to appoint a deputy, please explain why you think this is necessary and why the court should not make the decision on behalf of the person to whom the application relates.

Question 5.1

The person to whom the application relates

If you are making an application for appointment of a property and affairs deputy **on paper**, you need to first complete questions 5.1(a) and (b).

Either you or somebody else (your ‘agent’) must visit the person that the application is about, explain to them what the application is about and why it is being made, and give them form **COP14PADep** completed with the details of the application, to give them the opportunity to file a response with the applicant or directly with the court. You should also keep a copy of the **COP14PADep** form.

If someone else (your ‘agent’) notifies the person, you’ll need to send a copy of the **COP14PADep** form which they gave to the person being notified to the court with the rest of your application, signed by the agent. If you don’t, your application might be delayed.

In the box at 5.1(a) you need to tell the court;

- who notified the person the application is about;
- the date on which they were notified and given form **COP14PADep**;
- whether the person notified returned their form **COP14PADep** to you (if they did you must include a copy with your application)
- if you notified the person yourself, a description of how you did that, whether they appeared to understand this, and whether they said or did anything in response to your notification

Other people with an interest in the application

If you are applying for the appointment of a deputy for property and affairs you need to also complete the section 5.1(b).

You need to notify **at least 3 people** with an interest in your application about it, by sending them or giving them a completed form **COP15PADep**. You should do this at least 14 days before you send in your full application.

If you don't notify at least 3 people your application may be delayed.

The people you notify should be people likely to have an interest in knowing that you are making the application, such as the person's family members and close friends, but you can also notify for example the person's social worker, GP or care home manager. The court's Practice Direction 9B contains full details of persons who should be notified.

If there are people who should be notified but you can't do this or you think there is a reason why they should not be notified, you must send in forms **COP9** and **COP24** with an application explaining why and ask the court if it agrees to dispense with the need to notify them.

In the box provided let the court know;

- the name and full address of the person you are notifying
- the date they were sent form **COP15PADep**
- how you provided the form **COP15PADep** to them (by post, email or in person)
- whether they completed and returned for **COP15PADep** to you
- if so, whether you have included a copy of their returned with your application (you must supply a copy of any form **COP15PADep** returned to you)

Questions 5.2A and 5.2B

If you are applying for appointment of a property and affairs deputy, do not complete questions 5.2A and 5.2B.

You should complete these two sections for all other types of application to the court except applications for appointment of a property and affairs deputy.

You must provide the details of at least three people who you reasonably believe has an interest which means they ought to be heard by the court in relation to the application.

5.2A - Respondents are likely to be parties to the proceedings if they wish.

After the court has issued your application form, you must provide the people listed in question 5.2A with a copy of all documents relating to your application, in order to allow them the opportunity to support or oppose your application.

5.2B - Other people to be notified

After the court has issued your application form, you must notify the people listed in question 5.2B about your application. They will then be able to ask the court to be joined as parties to the proceedings if they wish to participate.

If you have not already named the following people as respondents, at least three of them (in descending order of priority) should be notified:

- a) spouse or civil partner of the person the application is about
- b) person who is not a spouse or a civil partner but who has been living with the person to whom the application relates as if they were
- c) parent or guardian
- d) child
- e) brother or sister
- f) grandparent or grandchild
- g) aunt or uncle
- h) niece or nephew
- i) step-parent
- j) half-brother or half-sister

Where you think that a person listed in one of the categories ought to be notified, and there are other people in that same category (e.g. the person has four siblings), you should generally provide the details of all of the people falling within that category.

You do not need to provide the details for a family member who has little or no involvement with the person to whom the application relates, or if there is another good reason why they should not be notified. In some cases, the person to whom the application relates may be closer to people who are not relatives and if so, it will be appropriate to provide their details instead of close family members.

For further guidance on who is to be notified of an application, see practice direction 9B.

Permission (Section 6)

In some cases you will need the court's permission to make an application. You must complete section 6 of this form if you need the court's permission. You do not need permission to make a property & affairs deputy application.

a) You do not need the court's permission if the application:

- is made by a person who lacks or is alleged to lack capacity (or, if the person is under 18 years, by anyone with parental responsibility);
- is made by the Official Solicitor, the Public Guardian, or a court appointed deputy;
- concerns the property and affairs of the person to whom the application relates;
- concerns a lasting power of attorney or an enduring power of attorney;
- relates to an application concerning deprivation of liberty under sections 4A(3) or 21A of the Mental Capacity Act 2005; or
- is about an existing court order and is made by a person named in that order.

b) You do need the court's permission for all other applications. Where part of the application concerns a matter that requires permission, and part of it does not, you need the court's permission only for that part of it which requires permission.

Attending court hearings (Section 7)

If you need special assistance or special facilities for a disability or impairment, please set out your requirements in full. It is important that you make the court aware of your needs to avoid causing any delays. The court

staff will need to know, for example, whether you want documents to be supplied in an alternative format, such as Braille or large print. They will also need to know about any specific requirements should there be a hearing, such as wheelchair access, a hearing loop or a sign language interpreter.

If the person to whom the application relates is a child, you must provide the details of any person with parental responsibility for the child, so they can be served with your application. If there is no person with parental responsibility, you should name an adult who lives with or cares for the child.

What you need to do next

When you have completed this form, you will need to consider what other forms you need to complete.

The forms to be completed will be different depending on the type of application. Refer to the table at the end of these notes to help you decide what forms to complete.

If you make your application on paper

Send your application to Court of Protection
PO Box 70185
First Avenue House
42-49 High Holborn
London
WC1A 9JA
United Kingdom

Other documents to be filed

You may need to file other documents with your application. The annex to the application form, or practice direction may set out additional information or material required, but you should also file the following documents, if applicable:

- the order appointing a deputy, where the application relates to or is made by a deputy;
- a copy of any lasting or enduring power of attorney;
- the order appointing a litigation friend, where the application is made by, or where the application relates to the appointment of a litigation friend;

- the order of the Court of Protection, where the application relates to the order;
- the order of another court, where the application relates to the order;
- any written evidence on which you intend to rely (in accordance with the relevant practice direction) using the COP24 witness statement form; and
- any other documents you refer to in the application form.

Other than for property & affairs deputy applications, the court requires 2 copies of this form, COP1 Application form and one copy of every other form or document. You should keep copies of each form and document for your own records.

When you have completed all the forms you should send them to the Court of Protection, along with any fee. For details on where to send your application check the website: www.gov.uk/court-of-protection.

What happens next

If you need permission to apply

If your application relates to personal welfare and you need permission to apply, the court will consider your application for permission as soon as practicable after your application form has been issued, and will notify you whether permission is granted, refused, or whether a date has been fixed to consider permission separately.

If permission is granted and the court has received the correct completed forms, you will need to serve a copy on each respondent and notify the person to whom the application relates and the other people you have named in question 5.2B of this form.

If you do not need permission to apply

If the court has received the correct completed forms, the court will issue your application form and legal proceedings will start. The court will notify you when your application form has been issued and will return a sealed copy of the application form. You will need to serve a copy on each respondent and notify the person to whom the application relates and the other people you have named in question 5.2B of this form.

Applications for the appointment of property & affairs deputy made by post using the upfront notification process will be issued by way of a letter confirming the date that your application was issued – you will not receive back a sealed copy of the COP1.

Disclaimer

Court of Protection staff cannot give legal advice. If you need legal advice please contact a solicitor or your local Citizens Advice. Information in this guidance is believed to be correct at the time of publication; however we do not accept any liability for any error it may contain. If you need further help with your application, please check the website: [www.gov.uk/ court-of-protection](http://www.gov.uk/court-of-protection).

Type of application

Your application relates to property and affairs

Forms to be completed

- COP3 Assessment of capacity
- COP1A Annex A: Supporting information for property and affairs applications If you are applying to be appointed as a deputy for property and affairs then you must also complete:
- COP4 Deputy's declaration
- COP14P&ADep form confirming when or how the person to whom the application relates has been notified
- COP15P&ADep forms (if these have been returned to you by the person notified)

Where to obtain further guidance

- Practice direction 9A the application form
- Practice Direction 9H- Property and Affairs Deputyships Applications
- COP GN1 Applications for the appointment of a deputy for property and affairs

Type of application

Your application relates to personal welfare

Forms to be completed

- COP3 Assessment of capacity
- COP1B Annex B: Supporting information for personal welfare applications If you are applying to be appointed as a deputy for personal welfare then you must also complete:
- COP4 Deputy's declaration

Where to obtain further guidance

- Practice direction 8A Permission
- Practice direction 9A the application form
- COP GN4 Making a personal welfare application to the Court of Protection

Type of application

Your application relates to a statutory will, codicil, gift(s), deed of variation or settlement of property

Forms to be completed

- COP3 Assessment of capacity
- COP1C Annex C: Supporting information for applications relating to a statutory will, codicil, gift(s), deed of variation or settlement of property

Where to obtain further guidance

- Practice direction 9A the application form
- Practice direction 9E Applications relating to statutory wills, codicils, settlements and other dealings with P's property
- COP GN8 Applications for statutory wills, codicils, settlements and other dealings with P's property

Type of application

Your application relates to the appointment or discharge of trustees

Forms to be completed

- COP1D Annex D: Supporting information for applications to appoint or discharge a trustee
- COP12 Special undertaking by trustees

Where to obtain further guidance

- Practice direction 9A the application form
- Practice direction 9F Applications to appoint or discharge a trustee
- COP GN2 Guidance on the sale of jointly owned property

Type of application

Your application relates to an existing deputy order or a registered enduring or lasting power of attorney

Forms to be completed

- COP1E Annex E: Supporting information for an application by an existing deputy or attorney
- COP24 Witness statement (if required)

Where to obtain further guidance

- Practice direction 9D, Applications by currently appointed deputies, attorneys and donees in relation to P's property and affairs

Type of application

Your application relates to the operation and validity of an enduring power of attorney or a lasting power of attorney

Forms to be completed

- COP1F Annex F: Supporting information for applications relating to the operation and validity of an enduring power of attorney or a lasting power of attorney
- COP24 Witness statement (if required)

Where to obtain further guidance

- Practice direction 9A the application form