

Seeing a Lawyer About a Will

A will is a legal document in which a person declares to whom his possessions are to go after death. When you die without a will, the law says exactly how things you own (your estate) will be divided between your spouse and your children or between your family members. When you make a will, you can say who will get everything that you leave behind. You can name someone -an executor- to follow the instructions in your will and settle your estate and you can name someone -a guardian- to look after your children if both you and your spouse die while they are young.

Lawyers duties

* write your will so that your wishes are clear and can be followed after you die. * inform you about various laws that may affect what you put in your will. (i.e., the Family Law Act states that your dependants have a right to some financial support after you die. * give you information about the taxes that will have to be paid after you die.

Preparing for your meeting with a Lawyer

1. Who do I want to get my possessions after I die?
2. Who do I want to name as executor? When you make a will you need to choose an executor. An executor takes care of your property after you die and follows the instructions in your will.
3. If I have children under 18, who do I want to name as a guardian for my children?
4. What will happen if the people I want to leave my property to, or my executor, or my guardian die before I do?
5. What do I own? Prepare a list. (i.e., house, RRSP, life insurance policy, business interests, etc.)

Questions to ask your Lawyer

- How much will it cost to help me to write a will?
- What might change the cost?
- How long will it take to prepare my will?
- Where should I keep my will?

Wills include many words that we do not use everyday. Do not be afraid to ask your lawyer to explain any words that you do not understand. The words have specific legal meanings that have been defined in court cases. excerpts taken from Lawyers & Clients written by the Law Society of Upper Canada