

INSTRUCTIONS TO WILL CLIENTS

Old Will/Prior Will

If there is a prior will in existence, you should destroy it. In general, there should be only one (1) will in existence for any individual at any given time.

Safekeeping of the Will

Your will should be kept in as safe a place as possible; preferably one that is fire-proof and burglar-proof (e.g. safety deposit box at your financial institution).

Information Your Estate Trustee(s) Should Have Now, And At All Times

1. The location of your will
2. An inventory of your assets and debts, updated annually, listing all bank accounts (account no. and location), life insurance policies (policy no. and company), real estate, credit cards, etc.
3. Any specific funeral and/or burial instructions.
4. The phone number and address of our office (Plan benefits cover your estate).

Information Your Children's Guardian(s) Should Have Now, And At All Times

1. There is no legal obligation to assume guardianship.
2. Consent to the appointment is required only if and when the event actually occurs.
3. The guardianship appointment expires ninety days after your death, unless the appointee(s) commences a proceeding for an order for custody or guardianship within ninety days, in which case the appointment lasts until the order is granted in favour of the appointee(s), or until a court makes an order to the contrary.
4. The guardianship appointment is effective only if,
 - (a) you are the only person entitled to custody of the child (or you are the only guardian of the property of the child) on the day immediately before the appointment is to take effect, or
 - (b) you and any other person entitled to custody of the child (or who is the guardian of the property of the child) die at the same time or in circumstances that render it uncertain as to who survived the other.

Change(s) to Existing Will

1. **Do not under any circumstances, alter, modify, or mark the will in any way.** Doing so may invalidate the whole will.
2. If you wish to revoke or alter your will, you should consult with a lawyer so that legal formalities can be observed, otherwise your wishes may not take effect.
3. **A new marriage will void your will.** Please call this office immediately for an appointment if there is a **significant change in your circumstances**. Some other examples are: cohabitation, separation, divorce, birth or adoption of children or grandchildren, change of your name or anyone named in your will, death or mental incapacity of an Estate Trustee or a Beneficiary named in your will, a significant change in the size of your estate, **owning assets in or residing in another province or country (your will may not be valid outside of the Province of Ontario)**.
4. Even if there is no significant change in your circumstances, you should contact us every three (3) to five (5) years to discuss the status of your will.
5. If we have prepared wills for you and your spouse, then we cannot change either of your wills or prepare new wills for either of you unless the other consents.