

## Planning Your Will

An information package to help you prepare for discussions with your family, your lawyer and other advisors.

*Many people are* reluctant to plan their estates, and believe they won't need a Will until years into the future. Unfortunately, death can come unexpectedly, and so it is never too early to make arrangements for both your estate and your loved ones.

A Will ensures that your family and friends will receive all that you designate for them. Without a Will, provincial laws determine how your estate will be distributed. If you do not have blood relatives, it is likely your provincial government will receive your estate, instead of the friends or organizations you wish to support.

**By preparing a Will, you decide how your estate is to be distributed.**

A Will is particularly important if you have young or teenage children, or if you are supporting parents or other relatives.

A gift in your Will is a preferred way to remember an organization—such as The Arthritis Society—because it assisted you, your family or friends in some way, or because you supported that organization during your lifetime.

### Consider reviewing your current Will

If you already have a Will, you would be wise to consider updating it if *any* of the following statements are true:

- It has been three years or more since you last reviewed your Will.
- Your Will was drawn up when you lived in a different province or country.
- There has been a birth in the family.
- There has been a death in the family.
- There has been a change in your marital status.
- The beneficiaries named in your Will are no longer living.
- You would like to add or remove beneficiaries.
- The executor and/or alternate named in your Will are no longer living.
- You are no longer happy with your choice of executor.
- There have been changes in your asset base.
- Your charitable giving plans have changed.

#### For further information, please call or write:

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**CHARITABLE REGISTRATION #:** 10807 1671 RR0003 **LEGAL NAME:** The Arthritis Society

**This document is not a Will.** By completing this package you are not actually creating a Will. "Planning Your Will" is designed to help you think about your estate, make decisions and prepare information you wish to consider for your real Will. Please remember to discuss this information with your lawyer or other legal advisors, and prepare a formal, legally binding Will.

See how your gift of a lifetime can make a difference, visit [arthritis.ca/plannedgiving](http://arthritis.ca/plannedgiving).

## Kinds of bequests

A carefully prepared Will can help ensure that provisions have been made for your dependants and loved ones. Your Will can also be a convenient way to make a charitable gift to an organization to help minimize taxes at the time of death.

Bequests can be in the form of cash, real estate, securities, tangible personal property or other assets. Here are some types of bequests, using a gift to the Arthritis Society as an example.

- **Specific bequest:** The Arthritis Society would receive a specific dollar amount from your estate, or a stated fraction. The advantage of a specific gift is that it can be precisely identified and is simple to administer.
- **Residual bequest:** The Arthritis Society would receive a percentage of the remainder of your estate after other specific bequests and debts have been paid out. The actual value can be sensitive to any change in the value of your estate between the date you make your Will and the date of your death.
- **Contingent bequest:** The Arthritis Society would receive a stated share or all of your estate only in the event that other named beneficiaries have died by the time bequests to them would be made.

### Sample wording

Here is suggested wording to provide for the Arthritis Society in your Will. Similar wording would be used to designate others you would like to provide for in your Will.

When revising your Will, or when creating a new Will, you should consult with your legal advisor. Your lawyer will provide the actual wording for the Will.

#### Unrestricted bequest:

I give to the Arthritis Society \$\_\_\_\_\_ of my estate for use as the Society may deem appropriate.

Or...

I give to the Arthritis Society \_\_\_\_\_% of my estate for use as the Society may deem appropriate.

Or...

I give to the Arthritis Society all of the residue of my estate for use as the Society may deem appropriate.

#### Restricted bequest:

I give to the Arthritis Society \$\_\_\_\_\_ or \_\_\_\_\_% or all of the residue of my estate to be used for the following: \_\_\_\_\_

The Arthritis Society can help you plan the details of a specific bequest, which can be named after you or someone you designate, as a form of memorial or endowment.

An outright distribution of cash or other property is a convenient way to remember friends, relatives, or a charity such as the Arthritis Society, who are not principle beneficiaries. You should consult your charity of choice to ensure that they are properly named and that your bequest can be used in the way that you intend.

## Worksheets to help you plan your Will

Your Will is the foundation of your estate plan. It states your wishes for distributing your property and names an executor to administer your estate. It could also specify a trustee for managing assets on behalf of the people you name as beneficiaries of money, investments, or property.

We've included some worksheets to help you prepare this information for your Will. This will reduce the time your lawyer needs to spend with you and will help you focus your attention on making your own choices as to how and to whom you wish to leave your property.

### Special considerations for completing the worksheets

Here are a few of the special considerations that can affect a Will. They may or may not apply to you, but we suggest you use this list as a guide, and add other considerations that may affect your estate.

- **If divorced or separated:** Do you want to provide for your former spouse? Are you responsible for dependants? Are there other assets you and your former spouse jointly own? Are there specific obligations required by your divorce or separation agreement?
- **If re-married:** Are there step-children you wish to include in your Will?
- **If you are living common-law:** Is your relationship formalized through any legal agreement? Have you clarified how you wish your estate to be divided among family, friends, and your common-law spouse?
- **If widowed:** Have your assets changed significantly? Do you have any rights in a trust created by your late spouse? Are there any pension or death benefits from your spouse that would be a part of your estate? If you already have a legal Will, is your deceased spouse still named?
- **If you have brothers, sisters or parents included in your Will:** If they pre-decease you, how do you wish to redirect their bequests? Are there parents or other adults for whom you wish to provide?
- **Change in children's status:** Are any of your children still minors, requiring legal guardians? Do some children have special needs? Do you have deceased children who have left surviving children?
- **If you own a major interest in a business:** Do you need special arrangements for the management of the business after your death? Are there buy-out clauses?

Other special circumstances could relate to out-of-country property, dual citizenship, military service, an inheritance you received that has someone named to receive it after you die, investments you share with someone else. You might wish to make special provisions in case you and your spouse both die within a short time period.

Use this worksheet to list all the people for whom you wish to provide, and include their ages (for children), addresses and relationship to you. Remember to list charitable organizations you may wish to remember.

## Personal information

Date this information was prepared: \_\_\_\_\_

*We know how important your privacy is. Please keep your personal information in a private and secure place.*

Your name:

Address:

Home telephone:

Work telephone:

Birth date:

Place of birth:

Occupation:

Employer:

Executor's name(s):

Location of Will:

Who has access to your Will?

Marital status:

Place of marriage:

Is there a marriage contract or pre-nuptial agreement?  Yes  No

Name of spouse:

Birth date:

Place of birth:

Address (if different from your own):

Home telephone:

Work telephone:

Previous spouses (if applicable):

Names, addresses and ages of living children:

Parents:

Brothers and sisters:

Other relatives:

Names and addresses of friends to be named in your will:

Names and addresses of charities you wish to include:

## Personal representatives

Your choice of an executor and an alternate executor are important.

Your executor should be a mature person capable of conducting business affairs. Your spouse, a relative, or a friend could be possible choices. Because an executor could predecease you or be unable to serve, it's wise to choose an alternate. Trust companies also act as executors, for a fee, and will always be able to serve.

\_\_\_\_\_  
**Executor's name, address and telephone:**

\_\_\_\_\_  
**Alternate's name, address and telephone:**

If you have underage children, you should name a trustworthy guardian and an alternate guardian to guide their upbringing and manage their financial affairs.

\_\_\_\_\_  
**Guardian's name, address and telephone:**

\_\_\_\_\_  
**Alternate's name, address and telephone:**

Several people may maintain records required to settle your estate. Many law firms have facilities for storing original Wills, and your accountant may have tax records.

\_\_\_\_\_  
**Accountant's name, company, address and telephone:**

\_\_\_\_\_  
**Lawyer's name, company, address and telephone:**

\_\_\_\_\_  
**Investment advisor's name, company, address and telephone:**

\_\_\_\_\_  
**Insurance agent's name, company, address and telephone:**

\_\_\_\_\_  
**Clergy or religious authority, place of worship, address and telephone:**

\_\_\_\_\_  
**Bank, banker's name, address and telephone:**

\_\_\_\_\_  
**Trust company, manager's name, address and telephone:**

\_\_\_\_\_  
**My tax records are stored at:**

\_\_\_\_\_  
**My safety deposit box is at:**

\_\_\_\_\_  
**Location of safety deposit key:**

\_\_\_\_\_  
**My original birth certificate is stored:**

\_\_\_\_\_  
**My company/military retirement and pension papers are stored:**

\_\_\_\_\_  
**My funeral arrangements were made with:**

## Your estate distribution

Your Will does not need to describe precisely how you want every item of your estate to be distributed. However, if you wish to give a specific item or sum of money to someone, or if there has been a change in your wishes that you outlined in a previous Will, explain them below.

In distributing money, consider dividing it by percentages, rather than in fixed amounts to take into account changes in the size of your estate. For possessions, consider listing some specific items that are particularly valuable or have sentimental meaning, and then designate one individual to receive "the balance of my personal possessions."

Person or organization	Item or amount of money

In your Will, you may designate the residue of your estate (what's left over after specific bequests and debts have been paid) among people and charities that you specify. Note your intentions or changes below:

Person or charity	Residue of my estate %

## Balance sheet

Making a list of your assets and your liabilities makes it easier to divide your estate and helps your lawyer prepare your Will.

Assets: Estimated value	Liabilities: Estimated value
Personal residence:	Home mortgage:
Other real estate:	Investment property mortgage:
Pension benefits:	Visa card:
Investments:	Mastercard:
RRSPs:	American Express:
RRIFs:	Other cards:
RESPs:	Car loan:
RSPs:	Car lease:
Life insurance:	Business loans:
Business interests:	Personal loans:
Bank accounts:	
Trust company accounts:	
Jewelry:	
Automobiles:	
Art:	
Valuable furnishings:	
Other assets:	
<b>TOTAL:</b>	<b>TOTAL:</b>