

INSTRUCTIONS, DRAFTING AND EXECUTION OF WILLS

INTRODUCTION

This checklist is divided into three parts: The first is an interview checklist, the second is a personal data sheet that may be used in the initial interview or completed ahead of time by the client, and the third is a summary of the essential elements of the will that could be placed on the inside of the file folder as a quick reference when drafting and reviewing the completed will. The checklist is extensive and in many cases substantial portions will not apply but most, if not all questions, need to be considered when taking instructions. The questions, if asked, may produce some surprising answers. Some of the questions, if not asked, could seriously prejudice your client's estate. A bibliography is attached for further guidance.

LIST OF AUTHORITIES

For details on the matters raised in the checklist, reference can be made to the following sources:

The Canadian Institute, *Estate Planning Institutes*, (Regularly scheduled conferences).

MacGregor, *Preparation of Wills and Powers of Attorney: First Interview to Final Report*, (Aurora, ON: Canada Law Book, 2004).

MacKenzie, J., *Feeney's Canadian Law of Wills*, (Toronto: Butterworths, 2000).

Scott-Harston and Johnson, *Tax Planned Will Precedents*, (Toronto: Carswell, 1989).

Sheard, *Canadian Forms of Wills*, (Toronto: Carswell, 1982).

Solicitors Professional Negligence, (1995) 145 N.L.J. 499.

Solicitors Professional Negligence, (1995) 145 N.L.J. 537.

Waters, *Waters' Law of Trusts in Canada*, (Toronto: Thomson Carswell, 2005).

Wills & Estates, Saskatchewan Bar Admission Course Materials.

Acts

Reference should also be made to Saskatchewan Acts that have an impact on wills and estates (i.e., *The Administration of Estates Act*, S.S. 1998, c. A-4.1).

The Administration of Estates Act, S.S. 1998, c. A-4.1.

The Dependants' Relief Act, 1996, R.S.S.c. D-25.01.

The Adoption Act, R.S.S. c. A-5.1.

The Devolution of Real Property Act, R.S.S.c. D-27.

The Age of Majority Act, R.S.S. c. A-6.

| | |
|------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| <i>The Excise Tax Act</i> , R.S.C. 1985, c. E-15. | <i>The Public Guardian and Trustee Act</i> , R.S.S. c. P-36.3. |
| <i>The Children’s Law Act</i> , 1997, R.S.S. c. C-8.2. | <i>The Queen’s Bench Act</i> , 1998, R.S.S. c. Q-1.01. |
| <i>The Family Property Act</i> , R.S.S. c. F-6.3. | <i>The Queen’s Bench Revision Act</i> , S.S. 1998, c. Q-1.1. |
| <i>The Health Care Directives and Substitute Health Care Decision Makers’ Act</i> , S.S. 1997, c. H-0.001. | <i>The Saskatchewan Farm Security Act</i> , R.S.S. c. S-17.1 (non-resident ownership). |
| <i>The Human Tissue Gift Act</i> , R.S.S. c. H-15. | <i>The Saskatchewan Insurance Act</i> , R.S.S. c. S-26 (designation of beneficiaries). |
| <i>The Income Tax Act</i> , R.S.C. 1985, c. 1 (5th Supp.) (federal legislation). | <i>The Survivorship Act</i> , 1993, R.S.S. c. S-67.1. |
| <i>The Indian Act</i> , R.S.C. 1985, c. I-5. | <i>The Trustee Act</i> , R.S.S. c. T-23. |
| <i>The International Wills Regulations</i> , c. W-14.1, Reg. 1. | <i>The Variation of Trusts Act</i> , R.S.S. c. V-1. |
| <i>The Intestate Succession Act</i> , 1996, S.S. 1996 c. I-13.1. | <i>The Wills Act</i> , 1996, R.S.S. c. W-14.1. |
| <i>The Powers of Attorney Act</i> , 2002, R.S.S., c. P-20.3. | |

Case Law

Earl v. Wilhelm [1998] 2 W.W.R. 522; 160 Sask. R. 4 (QB).
Niles v. Lake (1947) S.C.R. 291.
Saunders v. Vautier (1841) 4 Beav 115.
White v. Jones, [1993] 3 All E.R. 481 (C.A.), aff’d, [1995] 1 All E.R. 691 (H.L.).

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Notes:

CHECKLIST

A. INITIAL CONTACT

1. Arrange interview.
2. Send letter to client highlighting information that client should bring to initial interview:
 - 2.1 You may want to include *Schedule A – Personal Data Sheet* (W-1-SA-1). Many practitioners prefer to complete *Schedule A* at the initial interview. Information completed in advance will help reduce initial interview time and cost.
 - 2.2 Identification of client and family.
 - 2.2.1 Identify marital status/spousal relationship.
 - 2.2.2 If spousal relationship, duration and when commenced.
 - 2.3 Make special reference to provide information on adopted children, step-children and other potential beneficiaries or family members outside “traditional” family.
 - 2.4 Asset list:
 - 2.4.1 Specific items.
 - 2.4.2 Documents necessary to substantiate ownership.
 - 2.4.3 Relevant documents affecting ownership (e.g., buy/sell agreements, separation agreements, court orders).
 - 2.4.4 Bank account numbers, insurance policy numbers, RRSP’s, legal descriptions of land, etc.
 - a. Are there any beneficiary designations in insurance policies or RRSP’s that need to be considered?
 - b. Review intent and purpose of joint property and note presumption of resulting trust: *Niles v. Lake* (1947) S.C.R. 291.
 - 2.4.5 Is client a participant in any charitable trust or other planned giving scheme that will affect his or her assets?

Notes:

- 2.4.6 Does client or immediate family member have an interest in a Family Trust, either as trustee or beneficiary? If so, review Family Trust documents.
- 2.5 Explain why information will save money and create a better final result.
- 2.6 Provide information on estimated cost and billing procedures for work to be done.
- 3. If appropriate, obtain authorizations and consents to search assets, pensions, insurance and others.
- 4. If spouse already has a will, and will not be revising it, obtain a copy to ensure new instructions are consistent.
- 5. Exercise caution when taking will instructions from anyone other than testator.

B. INITIAL INTERVIEW

- 1. Explain possible purposes of will to client:
 - 1.1 Carry out client's testamentary intentions.
 - 1.2 Minimize tax.
 - 1.3 Minimize administrative expenses.
 - 1.4 An executor, unlike an administrator in an intestacy situation, can act immediately upon death of testator.
- 2. Confirm and explain billing of services:
 - 2.1 If flat fee, state it.
 - 2.2 If hourly rate, state rate and estimate how long it will take to prepare will.
- 3. Gather information requested from client, and add and clarify where necessary (*Schedule A – Personal Data Sheet (W-1-SA)*).
- 4. Testamentary capacity:
 - 4.1 Sufficient age. At least 18 years of age unless:
 - 4.1.1 Previously married.
 - 4.1.2 Member of Armed Forces or sailor.
 - 4.2 Mental capacity:
 - 4.2.1 Understands nature of will and its effect on claimants.

Notes:

- 4.2.2 Understands extent of estate.
- 4.2.3 Appreciates claims to which he or she ought to give effect and has ability to rationally balance competing claims.
- 4.2.4 Free of delusions.
- 4.2.5 If any doubt, keep record of answers to questions relevant to capacity.
- 4.2.6 Consider obtaining medical opinion(s).
- 4.2.7 Consider audio or videotaping interview to be available in event of challenge.
- 4.2.8 Put note on file indicating that mental capacity has been considered.
- 4.3 Fraud, undue influence, suspicious circumstances.
 - 4.3.1 Be sure instructions are from testator/testatrix. Be wary of instructions given other than in private interview (by telephone, letter or through agent).
 - 4.3.2 Record interview.
 - 4.3.3 Interpreted/translation/blind.
 - 4.3.4 Examine prior will for deviation from new instructions and make inquiries where appropriate.
 - 4.3.5 Interview should usually take place without interested parties present.
- 5. Client's intentions.
 - 5.1 Executor/executrix (personal representative):
 - 5.1.1 Name.
 - 5.1.2 Address.
 - 5.1.3 Relationship.
 - 5.2 Alternate personal representative:
 - 5.2.1 Name.
 - 5.2.2 Address.
 - 5.2.3 Relationship.
 - 5.3 Discuss obligations and powers of personal representative.

Notes:

- 5.4 Suitability of personal representative:
 - 5.4.1 Experience/education.
 - 5.4.2 Age/health.
 - 5.4.3 Relationship/knowledge of affairs.
 - 5.4.4 Time to act.
 - 5.4.5 Proximity to assets.
 - 5.4.6 Conflict of interest.
- 5.5 Specific bequests:
 - 5.5.1 Household.
 - 5.5.2 Personal effects, jewelry, etc.
 - 5.5.3 As directed or as may agree among themselves.
 - 5.5.4 Who bears expense of delivery of bequest?
 - 5.5.5 Automobiles.
 - 5.5.6 Real estate, cottage, farmland.
- 5.6 Charitable bequests:
 - 5.6.1 Name.
 - 5.6.2 Address.
 - 5.6.3 Failure of charity to exist.
- 5.7 Provision for spouse:
 - 5.7.1 Thirty day common disaster. Note provisions of *The Survivorship Act, 1993*.
 - 5.7.2 Bequest of entire estate.
 - 5.7.3 Portion of estate.
 - 5.7.4 Occupancy of residence and expenses.
- 5.8 Provision for children:
 - 5.8.1 Portion of estate.
 - 5.8.2 Portion on death of client or on death of spouse.
- 5.9 Trusts:
 - 5.9.1 Discuss structure and advantages of trust.
 - a. Tax advantages.

Notes:

- b. Providing for unsophisticated or disabled beneficiaries.
 - c. Providing system of checks and balances to protect estate.
- 5.9.2 Spousal.
- 5.9.3 Minors:
 - a. Age to receive capital.
 - b. Gift over.
 - c. Consider rule against perpetuities and rule in *Saunders v. Vautier*.
- 5.9.4 Discretionary – mentally/physically challenged.
- 5.9.5 Terms – interest:
 - a. Discretion – income/capital.
 - b. Provision for maintenance and education.
 - c. Vesting immediately or subject to divestment.
 - d. Possibility of application under *The Variation of Trusts Act*.
- 5.10 If client has existing insurance policies, with beneficiary designations:
 - 5.10.1 Determine if designations are consistent with those proposed in will.
 - 5.10.2 Be aware that date of designation in will may be date of execution, not date of death, and consider issues in revoking designations.
- 5.11 RRSP – designation of beneficiary.
- 5.12 Powers of personal representatives.
 - 5.12.1 Investment/administrative – *The Trustees Act* only, broad general investment powers, or those authorized by Canadian life insurance company?
 - 5.12.2 Power to delegate and hire professionals.
 - 5.12.3 Relief from liability for mis-investment.
 - 5.12.4 Power to act on majority vote.
 - 5.12.5 Power to retain any investment existing at date of death.

Notes:

- 5.12.6 Power to distribute in specie.
 - 5.12.7 Power to purchase from estate.
 - 5.12.8 Power to carry on business (including power to continue corporations and hold shares).
 - 5.12.9 Power to deal with real estate (including purchase, mortgage and lease).
 - 5.12.10 Mechanism for resignation by trustees.
 - 5.12.11 Trustee remuneration.
 - 5.12.12 Sale.
 - 5.12.13 Conversion.
 - 5.12.14 Loans to beneficiaries.
 - 5.12.15 Borrowing.
 - 5.12.16 Settlement of claims.
 - 5.12.17 Securities.
 - 5.12.18 Elections under *The Income Tax Act* and *The Excise Tax Act*. Can executors elect so that tax is payable by beneficiary on ultimate disposition of property rather than by estate?
 - 5.12.19 Transactions with trustees.
 - 5.12.20 Insurance.
 - 5.12.21 RRSP contributions.
 - 5.12.22 Power to employ agents.
 - 5.12.23 Carry on business including winding up, reorganization or amalgamation.
 - 5.12.24 Pre-taking.
 - 5.12.25 Guarantees.
 - 5.12.26 Designate property as income or capital.
- 5.13 Guardians:
- 5.13.1 Discuss difference between personal and property guardians.
 - 5.13.2 Discuss obligations and preferred traits of guardian.
 - 5.13.3 Point out that appointment of guardian can be overturned by court.

Notes:

- 5.13.4 Discuss dangers of husband/wife guardianship if marriage breaks down.
- 5.13.5 Name.
- 5.13.6 Relationship.
- 5.13.7 Address.
- 5.13.8 Relationship to children.
- 5.13.9 Suitability (age, financial capacity and willingness to serve).
- 5.13.10 Specific instructions re: education, accommodation.
- 5.13.11 Compensation for guardian.
- 5.14 Family property.
- 5.14.1 Explain definition of spouse and review client's marital status and beneficiaries' marital status
- 5.15 Burial:
 - 5.15.1 Personal representative's discretion. Instructions may not be binding on personal representative.
 - 5.15.2 Remind client that will may not be read until after funeral.
 - 5.15.3 Burial/cremation.
 - 5.15.4 Prepaid arrangements.
 - 5.15.5 Instructions regarding organ donations (see *The Human Tissues Gift Act*).
- 5.16 Forgiveness of indebtedness.
 - 5.16.1 Loans brought into hotchpot.
- 6. Discuss property that will pass outside of estate.
- 7. Was client:
 - 7.1 Married in community property jurisdiction?
 - 7.2 Owner of assets in foreign jurisdiction?
 - 7.3 Citizen of foreign country?
 - 7.4 If answer to any of above is yes, consider obtaining local counsel.

Notes:

8. Review client's preferred disposition of estate:
 - 8.1 Advise of circumstances where *The Dependants' Relief Act, 1996* or other legislation can override will.
 - 8.2 Explain tax implications of any proposed scheme:
 - 8.2.1 Deemed disposition on death and capital gains tax.
 - 8.2.2 Availability of tax-free rollovers, particularly for farmers and spouses.
 - 8.2.3 RRSP rollovers.
 - 8.2.4 Discuss *inter vivos* options, such as gifting, that can minimize tax consequences on death.
 - 8.2.5 Discuss *inter vivos* transfer of property to joint names, to reduce probate fees and point out problems and dangers of joint transfers.
 - 8.2.6 Specific planning for farm property.
 - 8.2.7 Deemed realization of trust property after 21 years.
 - 8.2.8 Consequences for Americans holding Canadian property, or Canadians holding US property (e.g., "snowbird" properties). Discuss if client holds other foreign property.
 - 8.2.9 Discuss benefits and advantages of gifts to charities, including *inter vivos* schemes such as planned giving. Discuss advantages of donating shares *in specie*.
 - 8.2.10 Are taxes to be debt of estate, or to be responsibility of individual beneficiaries?
 - 8.2.11 If there is farm or small business property that may be subject to capital gains exemption, review circumstances and determine if purification steps should be undertaken.
 - 8.2.12 Consider GST consequences of death, particularly regarding ongoing businesses:
 - a. Consider need to have beneficiaries registered for GST now.
 - 8.3 Discuss practicality and expense of proposed distribution.
9. If client is making will in contemplation of marriage, advise of *Wills Act, 1996* requirements.

Notes:

10. If client is living in spousal relationship, explain that a spousal relationship may have revoked a prior will. If client single, explain that spousal relationship or subsequent marriage will revoke will.
11. If client is separated from spouse, examine all separation agreements and advise of potential problems.
12. During course of interview, keep notes of instructions (or prepare notes immediately after interview), especially where client has made unusual gifts or provisions in the face of advice.
13. Discuss whether Power of Attorney may be required as part of estate planning.
 - 13.1 Advise that Power of Attorney may be effective immediately or contingent.
 - 13.2 Explain enduring Power of Attorney.
 - 13.3 Explain qualifications and duties of Attorney.
 - 13.4 General Power of Attorney or restricted Power of Attorney.
 - 13.5 If contingent Power of Attorney, who determines contingency?
 - 13.6 Is regular accounting from Attorney required?
 - 13.7 Is a Power of Attorney required for jurisdictions other than Saskatchewan?
14. Discuss whether Advance Health Directive may be required, and caution against enforceability outside of Saskatchewan, and limitations on enforceability within Saskatchewan. If a Directive is required, explain powers of a proxy respecting a general direction.
15. Does client come within scope of *The Indian Act*? Wills executed by Indians may need Ministerial approval under s. 45 of that Act.
16. If client is in ill health, get consent to consult with doctors and nurses.

C. AFTER INITIAL INTERVIEW

1. It is crucial that timelines be set and instructions followed through on a timely basis. See *White v. Jones*, [1993] 3 All E.R. 481 (C.A.), aff'd, [1995] 1 All E.R. 691 (H.L.) for example of liability for failure to prepare a will in a timely manner. See also Canadian Lawyers' Insurance Association: *Loss Prevention Bulletin*, Issue 28, April, 2000.

Notes:

2. Make any searches that are required such as at Land Titles Office (LAND/ISC). Discuss necessity of searches with client and the potential costs.
3. If client does not wish to make provision for any person to whom *Dependants' Relief Act, 1996* would apply, or to any particular family member:
 - 3.1 Prepare memo to file outlining reasons.
 - 3.2 Discuss with client whether reasons should form part of will.
4. Where client wishes to benefit a charity, ensure you have precise name of charity, and its location.
 - 4.1 Consider provision of alternate beneficiaries if charity does not exist at date of death.
5. If client wishes to dispose of real property outside Saskatchewan:
 - 5.1 Determine proper law.
 - 5.2 Ensure proper law imposes no restrictions on distribution.
 - 5.3 Advise client to obtain local counsel, or instruct you to obtain such advice.
6. If you are not convinced that client has requisite mental capacity, you should refuse to draw will.
7. Where estate includes shares of private/closely-held companies, check articles of corporation for restrictions on transfer.
8. Consider whether services of accountants or other professional advisors are needed. If so:
 - 8.1 Confirm with client, including cost of such advisors.
 - 8.2 Contact advisors with instructions.
9. Confirm ownership of property, particularly where client holds property through corporation(s): see *Earl v. Wilhelm* [1998] 2 W.W.R. 522; 160 Sask. R. 4 (QB). In *Earl v. Wilhelm*, the Court ruled that lawyers who draft wills owe a duty of care to beneficiaries and could be held liable for losses to beneficiaries arising from a failure to properly identify ownership of estate assets.

D. DRAFTING

1. Attach *Schedule B – Drafting of Will* (W-1-SB-1) to inside of file cover.

Notes:

2. Follow *Schedule B* to ensure major categories included.
 3. Review client's instructions and interview notes again for provisions to include.
- E. EXECUTION**
1. At time of execution, give will to client and explain each paragraph.
 2. Witnesses:
 - 2.1 Two needed.
 - 2.2 At least 18 years of age.
 - 2.3 Mentally competent.
 - 2.4 Not beneficiaries or spouses of persons who are or may be beneficiaries under will.
 - 2.4.1 Personal representatives or other professionals entitled to remuneration under charging clause should not witness (including partners of such persons).
 - 2.5 Avoid using witnesses who are "suggested" by family.
 3. Complete following steps upon execution:
 - 3.1 Insert date of execution.
 - 3.2 Signed by client or by another person in client's presence and by his or her direction.
 - 3.3 Presence of both witnesses when will is signed (or else, have client acknowledge his or her signature in their presence).
 - 3.4 At least two witnesses attest and sign will (or acknowledge their signatures on will), in presence of client.
 - 3.5 Have client and witnesses initial each page except the last.
 - 3.6 All parties signing should use normal signatures.
 - 3.7 Include residential addresses and occupations for each witness.
 - 3.8 If any alterations have been made to will, write "altered before execution" in margin and have client and both witnesses sign in margin.

Notes:

4. If it is not possible for will to be executed in solicitor's presence:
 - 4.1 Send will to client with letter:
 - 4.1.1 Including detailed instructions for client and witnesses to follow in execution.
 - 4.1.2 Explaining legal effect of errors in execution procedure.
 - 4.1.3 Requesting copy of executed will if original will be kept elsewhere.
 - 4.1.4 Explain that you cannot be held responsible for errors if proper procedures not followed.
 - 4.2 Upon receiving executed will (or copy), examine for proper execution. If any problems, contact client immediately.
5. Advise client of proper places to retain original will (solicitor's vault, safety deposit box, but not one's own home). Safety deposit box is preferred. Consider your own obligations when storing wills as solicitor; e.g., you may not be able to ever destroy them if not claimed.
6. Tell client to advise personal representatives of location of will.

F. CLOSING THE FILE

1. Write client:
 - 1.1 Enclose account, and outline of manner in which you arrived at amount.
 - 1.2 Advise client that as client's circumstances change, will may require alteration.
 - 1.2.1 E.g., subsequent marriage or spousal relationship will revoke will.
 - 1.2.2 Subsequent divorce or marriage breakdown may not revoke will.
 - 1.3 If client has custody of will, indicate in covering letter that initiative for any change must come from client.
 - 1.4 If your firm has retained custody of will, indicate that you are a gratuitous custodian only, and you have no obligation to advise of any changes that may require revisions.

Notes:

2. Ensure that file contains copy of will and complete notes of instructions taken, including this checklist.
3. Mark file to ensure it is never destroyed and is preserved indefinitely.
4. Diarize file for three years (or sooner) to contact client and remind them to review their affairs and will (Note: this is not intended to be ongoing obligation to review client's affairs, but only to remind them to consider any changes in their personal position).

Notes:

Notes:

SCHEDULE A: PERSONAL DATA SHEET

Date: _____

Lawyer: _____

File #: _____

A. PERSONAL

Full legal name: _____

Aliases: _____

Date and place of birth: _____

Address: _____

Phone number (Home): _____ Phone number (Business): _____

Phone number (Cell): _____ Email: _____

Occupation: _____

Residence in other province or country (to determine domicile): _____

Residence for tax purposes: _____

Citizenship: _____

Notes:

A.1 Marital

Marital status: _____ Date of marriage: _____

Place of marriage: _____

Spousal relationship: _____

date commenced _____ date ended: _____

Spouse's full name (specify if common-law relationship): _____

Spouse's number (Home): _____ Spouse's number (Business): _____

Spouse's number (Cell): _____ Spouse's Email: _____

Spouse's date/place of birth: _____

Social Insurance Number (SIN): _____

Occupation: _____

Citizenship: _____

Marriage contract: _____ Separation agreement: _____

Particulars of divorce: _____

A.2 Children (adopted, stepchildren, out of wedlock)

Name: _____

Date of birth: _____

Address: _____

Name: _____

Date of birth: _____

Address: _____

Name: _____

Date of birth: _____

Address: _____

Identify any mentally or physically challenged children, or children otherwise dependent:

Name: _____

Date of birth: _____

Address: _____

Name: _____

Date of birth: _____

Address: _____

Notes:

A.3 Close Relatives/Intended Beneficiaries

Name: _____

Relationship to you: _____ Date of birth if minor: _____

Address: _____

Name: _____

Relationship to you: _____ Date of birth if minor: _____

Address: _____

Name: _____

Relationship to you: _____ Date of birth if minor: _____

Address: _____

A.4 Executors

Name: _____

Occupation: _____

Address: _____

Name: _____

Occupation: _____

Address: _____

Notes:

A.5 Trustees (if not same as personal representatives)

Name: _____

Occupation: _____

Address: _____

A.6 Personal Guardian (for children under age of majority)

Name: _____

Occupation: _____

Address: _____

B. ASSETS

Cash: _____

Bank accounts: _____

Bank/Credit Union: _____

Location: _____

Amount: _____

Joint/Sole: _____

Bank/Credit Union: _____

Location: _____

Amount: _____

Joint/Sole: _____

Bank/Credit Union: _____

Location: _____

Amount: _____

Safety deposit box: _____ Location: _____

Life Insurance (personal or group): _____ Policy #: _____

Name of company: _____

Type of plan: _____

Named beneficiary: _____

Value: _____

Name of company: _____

Policy #: _____

Type of plan: _____

Named beneficiary: _____

Value: _____

B.1 Real Estate (use separate sheet if insufficient space)

Address: _____

Legal description: _____

Value: _____

Original cost: _____

Registered owner: _____

Municipality: _____

Address: _____

Legal description: _____

Value: _____

Original cost: _____

Registered owner: _____

Municipality: _____

Acquisition cost of farm/commercial property: _____

B.2 Household/Personal

Item: _____

Value: _____ Registered owner: _____

Item: _____

Value: _____ Registered owner: _____

Autos: _____

Boats: _____

Approximate value of other household/personal goods/collectibles/antiques: _____

B.3 Other Estates

Value: _____

Copy of trust/wills: _____

B.4 Business, Farm Assets, Partnership (proprietorship, partnership, corporation)

GST Registration – Business Number: _____

Nature: _____

Approximate value: _____
(machinery & equipment)

Approximate value: _____
(grain-on-hand/cattle)

B.4 RRSP's, RRIF's, Pensions & Annuities

Name: _____

Contract #: _____

Named beneficiary: _____

Value: _____

B.5 Other Investments

Bonds (cash value): _____ Name in which registered: _____

Location: _____

Stocks – public companies: _____

Cash value: _____ Name in which registered: _____

Location: _____

Stocks – private companies: _____

Cash value: _____ Name in which registered: _____

Location: _____

C. LIABILITIES

C.1 Mortgages on Real Estate

Property covered: _____

Balance: _____ Insured: _____

Name of mortgagee: _____

Term: _____

Purpose: _____

C.2 Personal Property Registry

Nature: _____

Property covered: _____

Balance due: _____

Name of secured party: _____

C.3 Other Financial Obligations

Leases: _____

Indemnities: _____

Guarantees: _____

Separation agreements: _____

Maintenance: _____

C.4 Summary Net Worth

Total Value of Assets: \$ _____ Total Value of Liabilities: \$ _____

NET: \$ _____

C.5 General Information

Do you or your spouse have will? _____

Accountant's name: _____

Address/phone number: _____

Investment dealer's name: _____

Address/phone number: _____

Life insurance agent's name: _____

Address/phone number: _____

Are you a beneficiary under any trust? _____ Have you set up a trust to benefit another person? _____

Do you or your spouse have a marriage contract (provide a copy if yes)? _____

Are you party to any shareholder or partnership buy-sell agreement (if so, provide copy)? _____

Any assets outside Saskatchewan or Canada? Please list and estimate value.

SCHEDULE B: DRAFTING OF WILL

Executor/executrix (personal representative): _____

Alternate personal representative: _____

Debts: _____

Specific bequests: _____

Charitable bequests: _____

Residue: _____

Spouse: _____

Children: _____

Common disaster: _____

Trust

Terms: _____

Gift over: _____

Powers of personal representative: _____

Remains: _____

Guardians: _____

Payment to minors: _____

Matrimonial property: _____

Date: _____

Attestation clause: _____
