



RICHARDS+COMPANY  
BARRISTERS & SOLICITORS

**Notes and Information With  
Respect to the  
Will Preparation Worksheet**

The information provided, via the attached worksheet or any other means, will be held in the strictest of confidence. The questionnaire simply allows me, as your lawyer, to determine or discover possible problems or issues that should be addressed in your Will. It also may be a helpful tool to aid you in the formulation of your instructions.

After you have completed the worksheet you can return it to me. I will then produce a draft version of your Will, Enduring Power of Attorney and/or Personal Directive. Once changes are made and we are satisfied with its contents we can arrange a time to get together here at the office in order to properly execute (sign and witness) the official documents.

If you have any questions as you go through the worksheet please feel free to give me a call.

Notes:

A **Will** is a disposition or declaration by which the person making it provides for the distribution or administration of property after his death. It is vital to have a valid and complete will to be sure your property goes to the right place and, more importantly, to be sure nobody will tie up your estate in costly and drawn-out litigation. If you have underage children you will need to properly incorporate guardianship and perhaps trust provisions and, depending on the size and type of assets, taxation matters may need to be addressed. In addition, there are certain requirements with respect to form, content, and execution that must be complied with in order for the will to be valid and enforceable. It is important, therefore, to have the assistance of a qualified lawyer when drafting your Will.

An **Enduring Power of Attorney (EPA)** is a formal instrument by which one person authorizes or empowers another person to act on their behalf with respect to property and financial affairs. Should you become physically or mentally unable to manage your financial affairs your attorney (the person you appoint in the EPA) can do so for you. This can save literally thousands of dollars should such a need arise. Without an EPA, a relative would need to apply to court for a Dependant Adult Trusteeship Order. Such an order would be necessary, for example, to allow them access to your bank account to pay your rent and thus avoid eviction—or to pay your credit card bills or mortgage and thus avoid accumulation of interest or foreclosure on your home. Acquiring such an order could cost several thousand dollars and take weeks or months to acquire. It may be wise, therefore, to have a properly drafted and executed EPA so that, if the situation arises, someone you trust is legally authorized and empowered to deal with your property and finances.

A **Personal Directive** is a legal document that you can write in case something happens and you cannot make decisions about personal matters (that are non- Financial in nature) such as: medical treatments you would or would not want, where you would like to live, who you would like to live with, and choices about other personal activities (recreation, employment or education). Without a personal directive relatives and friends do not have legal rights to make personal decisions for you as an adult. A Dependent Adult Order granting guardianship rights would need to be obtained in order for relatives or friends to make personal decisions on your behalf.

# WILL PREPARATION WORKSHEET

PRELIMINARY INFO	NOTE: YOU CAN TAB THROUGH THE GREY FIELDS BELOW
Full Legal Names (you, spouse and kids) – Include nicknames, other names, maiden names or former married names, if any.	
Also indicate ages.	
Mailing Address	
Phone Numbers (h)(c) Email Addresses	
Marital Status and History: include where you were married, whether marriage contract exists (summarize its terms) and divorce information if applicable	
<b>ASSETS</b> Bank Accounts – location and type (also indicate whether they are in testator's name only or are jointly held with spouse or third party)	
Real Estate – location, legal or municipal description, manner of registration (joint or tenants-in- common), and approximate value	
Insurance – company, value, beneficiary and type (i.e. term/whole life/accident)	



Burial Instructions or Donation of Organs - where do you want to be buried, do you want to donate organs for transplants or research, do you want to be cremated, etc.?

Specific Bequests - if you have specific property like jewelry heirlooms or a special painting that you would like someone specific to have please indicate here. Also, if you would like some part of your estate to go to a specific charity please give full name and address of organization and full description of property to be donated by estate

Distribution of the Remaining Estate Property - here are some issues to think about:

**Spouse:** Give estate to surviving spouse?

If spouse dies before you then to whom?

**Children** – if they are to receive cash, are they to receive everything at age 18 or are they to receive payments over time (i.e. 25% at age 18, 50% at age 21, etc.)?

If a child predeceases you do you want their children (your grandchildren) to receive that child's share or should that share be divided between your surviving children?

Who gets estate if spouse and children and grandchildren predecease you?

# ENDURING POWER OF ATTORNEY PREPARATION WORKSHEET

## ATTORNEY

Please indicate who you would like to be your attorney. This will be the person(s) who will have the power to handle your finances and deal with your property (they can act jointly as well..

## PRIMARY ATTORNEY.

- Full Legal Name
- Address
- Phone
- Email

## ALTERNATE ATTORNEY(S)

- Full Legal Name
- Address
- Phone
- Email

## EFFECTIVE TIME

IMMEDIATE: Do you want the attorney to have the authority to handle your financial affairs immediately?

SPRINGING: Or do you want the attorney to have authority only after you have become declared not competent?

CHECK ONE:

- ☐ IMMEDIATE  
☐ SPRINGING



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# PERSONAL DIRECTIVE PREPARATION WORKSHEET

## AGENT

Please indicate who you would like to be your agent for the PD. This will be the person who will have the power to handle your personal decisions should you become incapacitated.

### PRIMARY AGENT.

-Full Legal Name  
-Address  
-Phone  
-Email

### ALTERNATE AGENT(S)

-Full Legal Name  
-Address  
-Phone  
-Email

## TYPES OF DECISIONS

The following choices as to personal decisions are for your convenience only. This is not a substitute for a full discussion with your lawyer and Doctor. I want my agent to be able to make decisions relating to:

### CHECK ALL THAT APPLY:

- ☐ My health care;
- ☐ My accommodation;
- ☐ With whom I may live and associate;
- ☐ My participation in social, educational and employment activities;
- ☐ Legal matters that do not relate to my estate;
- ☐ Other



## GENERAL DIRECTIVES

My agent must follow the following instructions when making personal decisions on my behalf (Choose from either "OPTION ONE" or "OPTION TWO" below and indicate which best describes your wishes):

### ☐ OPTION ONE

To instruct my health care service providers to **cease and refrain** from any medical or surgical treatments which would prolong my life in the following circumstances:

### CHECK ONE:

- ☐ If I am in a coma or a persistent vegetative state and, in the opinion of my physician and other consultants, have no known hope of regaining awareness and higher mental function no matter what is done; **OR**
- ☐ If I am in a coma and, in the opinion of my physician and other consultants, have a small likelihood of recovering fully, a slightly larger likelihood of surviving with permanent brain damage, and a much larger likelihood of dying; **OR**
- ☐ If I have brain damage or some brain disease that in the opinion of my physician and other consultants cannot be reversed and that makes me unable to recognize people or to speak understandably, and I also have a terminal illness, such as incurable cancer, that will likely be the cause of my death; **OR**
- ☐ If I have brain damage or some brain disease that in the opinion of my physician and other consultants cannot be reversed and that makes me unable to recognize people or to speak understandably, but I have no terminal illness, and I can live in this condition for a long time.



☐ **OPTION TWO**

*My agent must instruct my health care service providers based on the following guidelines:*

I do not wish my life to be prolonged by artificial means when I am in a coma or a persistent vegetative state and, in the opinion of my physician and other consultants, have no known hope of regaining awareness and higher mental functions, no matter what is done; **AND**

I wish to be kept comfortable and free from pain. This means that I may be given pain medication even though it may dull consciousness and indirectly shorten my life.

**GENERAL INSTRUCTIONS,  
SPECIAL SITUATIONS, OTHER  
COMMENTS:**

**PRINT**

**SAVE**

## FEE SCHEDULE FOR STANDARD WILLS, ENDURING POWERS OF ATTORNEY AND PERSONAL DIRECTIVES

### Individual Packages:

One Will for an individual	\$300.00
One EPA for an individual	\$250.00
One Personal Directive for an individual	\$250.00
One Will and one EPA for an individual	\$475.00
One Will, one EPA, and one Personal Directive for an individual	\$600.00

### Mutual (Husband and Wife) Packages:

Two Wills-a similar Will for both a husband and a wife	\$500.00
Two EPAs-a similar EPA for both a husband and a wife	\$400.00
Two PDs-a similar PD for both a husband and a wife	\$300.00
Two Wills and two EPAs for both a husband and a wife	\$550.00
Two Wills and two PDs for both a husband and a wife	\$550.00
Two Wills, two EPAs, and two Personal Directives	\$850.00

Note: Legal fees above are based on standard Wills, Personal Directives and EPA's. Should unique or complex issues or facts be involved or an unusual amount of time is needed, legal fees may be higher. An accurate estimate can be provided upon receipt of your instructions. Also, in addition to the fees as stated above, GST and extraordinary disbursements, if incurred (courier charges for example), will be charged. Fees noted above are subject to change without notice.