

## Everything You Should Know When Making a Will

### 7 Questions You Should Be Asking

#### **Representative: Who will make sure my wishes are carried out?**

Choose an executor for your will, also known as your personal representative. This can be anyone you trust and find responsible: your child(ren), another relative, a friend, or a lawyer. Make sure you provide them a letter of instruction that includes all necessary information from funeral preparation and words of encouragement.

#### **Guardian: Who will take care of my children?**

This is an especially important question if you have children under the age of 18. Ensure it is someone your kids already know, such as a family member or close friend. It is important that the person who will become their guardian has agreed to this arrangement.

#### **Beneficiary: Who will be getting my stuff?**

You can name anyone as a beneficiary in your will, including (but not limited to) your spouse, children, relatives, friends, a charity, or place of worship. You can put it in terms of dollar amounts or percentages. For example, you could say 50% goes to your spouse and 50% your children or \$25,000 will go towards your favourite animal sanctuary.

#### **Gifting: What items will go to certain people or organizations?**

This is where you can make a list of who will be getting which material items, such as your niece getting your engagement ring, your local library getting your book collection, or your favourite childhood camp receiving money towards buying new kayaks.

#### **Pet Care: Who will take care of my pets?**

Ensure the person who will be taking care of your pet(s) is someone who likes that type of animal, has spent time with them, has agreed to take them, and (if applicable) has pets who will get along with yours. Put this choice in your instruction letter to your representative.

#### **Online Accounts: What happens to my online presence?**

Make a list of all the online logins and passwords you would like your representative to consider, such as business accounts, social media, or personal websites. Outline what you would like them to do in the letter of instruction.

#### **Documents: Is there anything else I should get when I am making my will?**

It is recommended you get financial and medical powers of attorney for your finances and health; many will packages will include these.

## **Writing Your Representatives Letter of Instruction**

Having a complete letter of instruction will make this tough time easier for the executor of your will, especially since things not covered in your will may arise.

Here is a list of potential things you may want to include in your letter:

- Location of where you keep your will
- Instructions for your funeral/ wake
- Guardianship for your children who are minors
- Advice to those guardians or gifts for them to pass along
- Guardianship of your pets
- Information and instruction of your online accounts
- What should happen with your collectible items
- Advice or stipulations for how your children can use their inheritance
- A personal testimony of faith
- Words of encouragement and hope to your loved ones
- Advice concerning family business
- Other important information to or about you

Include information about your advisors, such as:

- Attorney
- Life insurance agent
- Financial planner
- Accountant
- Mortgage provider

## **Tips to Remember**

Do not sign your will ahead of time - set up a time for you and your two witnesses to sign everything together in front of a notary\*. All the documents can be signed at the same time.

\*Update May 19, 2020: due to Covid-19, the BC government put through emergency legislation that allows wills to be witnessed with the “electronic presence” of the will-maker. One of the witnesses must be a lawyer or notary public and must be executed with an audio-visual communication aid (such as Zoom or Skype). Talk to your lawyer or notary public about any additional requirements.

Witnesses must be adults (19 or older), mentally competent, and unrelated to you. A related witness is still valid but may have unintended consequences such as making void any gifts to that person or their spouse (common-law or by marriage).

Double check that all names listed in your will are spelled correctly. Misspelled names can cause execution of the will to be slowed down or halted.