



Member

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Instruction Questionnaire for Wills and Estate Planning

A Will is a legal document where you explain what you want done with your “Estate” when you die. Your Estate consists of everything you own but **does not include** land or bank accounts that you own in joint tenancy with another person(s). **If you die without a Will in BC** the following will happen:

- the court will appoint an administrator to settle your estate which is a costly process;
- your estate will be distributed according to the *Wills, Estates and Succession Act, SBC 2009, c.13*, which may not be in accordance with your wishes;
- the Director of Child Protection will become the guardian of your minor children.

Most importantly, your loved ones left behind will feel stress and anxiety regarding your estate, while at the same time grieving your loss.

We ask that you complete as much as possible of this form before we meet because it will provide us with essential information and help us to identify the items we should discuss with you. If you are unsure of particular sections of the form, or particular sections do not apply to your situation, leave them blank or make a note to discuss them during your appointment.

The following form is to assist you in planning your estate and may not elicit from you all the information you wish to give us or that we will wish to obtain from you. Please make note of all additional information concerning you, your family, assets, and liabilities you feel may be necessary or helpful to us in advising you.

Please note that the questionnaire assumes that only British Columbia law applies. If this situation is not the case, it may be necessary for you to consult a lawyer in another jurisdiction about your Will. We would be pleased to assist you with that. Unless expressly requested to do so, we will not check the names of the registered owners of assets but will rely on the information you give us.

If these instructions are for the preparation of an identical Will for both you and your spouse **please complete only one questionnaire per couple.**

Date the instructions received _____

Part 1- PERSONAL INFORMATION

1- Information about you

Full legal name

Other names you are or have been known by

Address

Occupation

Date of Birth

Place of Birth

Relationship Status

single married common-law separated divorced widowed

Citizenship

Canadian Other Registered Indian as defined in the Indian Act

Home phone

Work phone

Cell phone

email address

2- Information about your spouse

Full legal name

Other names you are or have been known by

Address

Occupation

Date of Birth

Place of Birth

Citizenship

Canadian Other Registered Indian as defined in the Indian Act

Home phone

Work phone

Cell phone

email address

3- Your marriage (if applicable)

Your marriage is a legal marriage a common law marriage

Date of marriage

Place of marriage

Marriage agreement Yes No

Have you signed a separation agreement? Yes No

Have any family law proceedings taken place or been commenced? Yes No

4- Prior marriages (if applicable)

Name(s) of your former spouse(s)

Date of divorce or separation? _____

Do you have to pay maintenance to your children or former spouse? Yes No

5- Your children

The word “child” includes a child of your marriage, a child born outside of marriage, and an adopted child. Please provide the following information for each of your children and your spouse or your partner’s children.

	Full legal name	Date of birth	Biological parents	Resides with you?
1			<input type="checkbox"/> both <input type="checkbox"/> yours <input type="checkbox"/> spouse’s	
2			<input type="checkbox"/> both <input type="checkbox"/> yours <input type="checkbox"/> spouse’s	
3			<input type="checkbox"/> both <input type="checkbox"/> yours <input type="checkbox"/> spouse’s	
4			<input type="checkbox"/> both <input type="checkbox"/> yours <input type="checkbox"/> spouse’s	
5			<input type="checkbox"/> both <input type="checkbox"/> yours <input type="checkbox"/> spouse’s	

6- Other dependence

Is there someone dependent upon you for financial support for whom you wish to provide, such as an elderly parent or a grandchild? Yes No

If yes, please complete the following:

	Full name	Address	Relationship
1			
2			

Are you now serving as the legal guardian for a person under age 19 (other than your own children)? Yes No

If yes, please provide us with full name, address, and relationship to you.

Are you now serving as the committee or other legal guardian for a disabled or incapacitated adult? Yes No

If yes, please provide us with full name, address, and relationship to you.

Are you now serving as executor of an estate of someone who has died? Yes No

If yes, who do you want to appoint to act in your place if you die before you complete the administration of the estate? Please provide us with full name, address, occupation and relationship to you.

Have you been appointed as the executor for anyone who is still living? Yes No

Are you entitled to appoint someone to act in your place as executor if you died before this person? Yes No

Who do you want to appoint? Please provide us with full name, address, occupation and relationship to you.

Part 2- FINANCIAL INFORMATION

Please record the assets you have and provide the requested information. If you have additional assets, please attach a separate listing.

Do you own your home? _____ Sole ownership joint ownership

If joint with whom? _____ Mortgage? _____

Other real estate? _____ Sole ownership joint ownership

If joint with whom? _____ Mortgage? _____

Life Insurance? _____ Who is named beneficiary? _____

RRSP / RRIF? _____ Who is named beneficiary? _____

Pension / Annuity? _____ Who is named beneficiary? _____

Tax Free Savings Account? _____ Who is named beneficiary? _____

Bank Accounts: Own name or jointly held? _____

GIC / Term Deposits: Own name or jointly held? _____

Stocks, bonds, segregated funds, RESPs: Own name or jointly held? _____

Vehicle / RV / Boat: Own name or jointly held? _____

Do you own a business, professional practice, or other similar asset? Who owns the shares, is there a shareholders agreement? _____

Do you own anything outside of the province or country? _____

Do you have a Last Will & Testament in another jurisdiction (province/state)? _____

Other Assets? Does someone owe you money? _____

Do you have any debts and liabilities? _____

Part 3- WILL INSTRUCTIONS

1- Executor/Trustee

The executor is the person(s) who is responsible for carrying out the instructions in the will.

The executor is responsible for settling your affairs. This usually involves selling some assets, preparing the final tax return, paying any outstanding debts, applying for the Canada pension plan death benefit, and distributing your estate.

An executor needs to be a reliable adult. Although the person does not need to live in B.C., all procedures to settle the estate will be done in B.C. A non-resident executor will likely have to hire a lawyer to help with the estate.

In choosing an executor keep the following in mind:

- Choose someone you trust
- Choose someone you think will likely outlive you.
- Choose someone who is able and willing to carry out the instructions in your Will without conflict or pressure from others.
- Never choose an executor without their prior acceptance of the appointment.

	Full name	Address	Occupation	Relationship to you
Primary executor				
Alternate executor (this person becomes executor if the original executor is unable or unwilling to act)				
Co-executor (complete this only if you want 2 people to act as executor at the same time)				

<p>If you have co-executors, how should they proceed with decision making?</p> <p style="text-align: right;"><input type="checkbox"/> majority <input type="checkbox"/> act unanimously</p>
<p>Do you want your executor to be compensated? How?</p>

2- Appointments of Guardians for infant children

Do you have a child under 19 or do you anticipate having children? Yes No

In case you and your spouse die, who do you want to be the guardian(s) of your children until they reach the age of majority?

	Full name	Address	Occupation	Relationship to you
Primary guardian				
Alternate guardian (this person becomes guardian if the original guardian is unable or unwilling to act)				
Joint guardian (complete this only if you want 2 people to act as guardians at the same time)				

3- Distribution of assets

if a beneficiary, such as your child, dies before obtaining his/her share of your estate, is that share to go to your grandchildren, or is it to be divided among your surviving children, or to another beneficiary?

4- Charitable gifts

Do you wish to gift cash or another gift to charity?

If yes, please complete the following:

	Name of charity	Address	Cash amount/ specific asset
1			
2			

We recommend that you contact the charity to confirm that you have the charity's correct name, that it is a Canada Revenue Agency registered charity, and, if the gift is to be used for a particular charitable purpose, that the charity in fact carries on that purpose.

5- Gift of real estate

	Description	Full name	Address	Relationship to you
1				
2				

Is there an existing mortgage on the property? Yes No

If yes, do want

the beneficiary to assume the mortgage or

your estate to pay off the mortgage?

Who pays any property transfer tax on the transfer? recipient residue of estate

Who is to bear income taxes (tax on capital gains) that may arise as a result of the deemed disposition of the asset? Beneficiary Residue of your estate

6- Residue

The residue of your estate consists of the assets remaining in your estate after payment of liabilities, taxes, specific gifts, legacies, and so on.

Primary beneficiary(ies) of the residue			
Full name	Address	Relationship	%

If primary beneficiary(s) predeceases you, what becomes of their share?
 Surviving beneficiaries?
 Deceased beneficiary's spouse?
 Deceased beneficiary's children?

Used for children's' maintenance until majority?
Secondary beneficiary(ies) of the residue Please indicate name, address, relationship and percentage

7- Funeral

Do you have any specific wishes regarding your funeral? If yes, please specify:

8- Where will you keep the original of your will?

Safety deposit box? yes no if yes, which bank, which branch?

At home? yes no if yes, specify where in home?

9- Other notes or questions _____