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## **ESTATE PLANNING QUESTIONNAIRE**

Estate litigation, excessive intestate administration costs, and needless end-of-life healthcare costs are often avoidable through advance planning. We recommend keeping up-to-date Wills, Powers of Attorney, and Personal Directives. As a service to the community, we have gone to great lengths to increase accessibility to these services by keeping our cost as low as possible, without sacrificing quality. We achieve this result by having you fill out this questionnaire before drafting the documents. The questionnaire also allows your executor, attorney, or agent to discover and locate your assets, and become aware of your wishes.

### **Wills**

Wills appoint your executors, describe your desired funeral arrangements and treatment of your remains, allocate specific property to beneficiaries, allocate your left-over property, create trusts for minor children and grandchildren, place limits on the powers of your executors, and much more. An up-to-date and professionally drafted Will may avoid costly Court-approval prior to distributing your estate upon your passing, even if your estate only consists of funds in a bank account.

### **Powers of Attorney**

A Power of Attorney allows another person to manage your financial affairs, such as dealing with Revenue Canada, doing your banking, paying debts, managing investments, selling property, making gifts on your behalf, employing lawyers and accountants, and so forth. These powers can be restricted. A Power of Attorney can become effective upon your incapacity, or immediately, even if you do not yet require assistance. A Power of Attorney may allow your family to avoid having to make a very costly trusteeship application at the Court, and allows you to choose the friend or family member who will serve as your attorney.

### **Personal Directives**

A Personal Directive is almost identical to a Power of Attorney, except that it deals with non-financial matters, such as the healthcare you wish to receive upon incapacity, your accommodation, your participation in social and recreational activities, legal matters, which measures can or cannot be used to prolong your life, how you want your agent to make decisions, whether you want to live independently, *et cetera*. A Personal Directive may allow your family to avoid having to make a very costly guardianship application at the Court, and allows you to choose the friend or family member who will serve as your agent.

### **Cost**

For an individual, the total cost for all three documents would be approximately **\$500.00**, whereas all three documents for a husband and wife (or unmarried partners) would have a total cost of approximately **\$850.00**. Additional costs may apply for unique clauses, revisions, disbursements, postage, photocopying, and GST. These estimated fees are subject to reasonable adjustments depending upon the nature and complexity of the matter.

## ESTATE PLANNING QUESTIONNAIRE

DATE			
<b>SECTION 1 - FAMILY INFORMATION</b>			
<b>A. YOUR INFORMATION</b>			
FULL LEGAL NAME			
ANY OTHER NAMES KNOWN BY			
ADDRESS			
PHONE NUMBER(S)			
E-MAIL ADDRESS			
DATE OF BIRTH			
PLACE OF BIRTH			
CITIZENSHIP			
DATE OF MARRIAGE			
PREVIOUS MARRIAGE			
<b>B. YOUR SPOUSE'S INFORMATION (if applicable)</b>			
FULL LEGAL NAME			
ANY OTHER NAMES KNOWN BY			
ADDRESS			
PHONE NUMBER(S)			
DATE OF BIRTH			
PLACE OF BIRTH			
CITIZENSHIP			
PREVIOUS MARRIAGE			
<b>C. YOUR CHILDREN AND DEPENDENTS</b>			
How many children do you have			
Are any of your children adopted, or step-children?	Yes	No	
If yes, which children?			
Have any of your children predeceased you?	Yes	No	
If yes, which children?			
Are any of your children or grandchildren disabled?	Yes	No	
If yes, who?			
Are you responsible for any other children?	Yes	No	
If yes, who?			
Are you responsible for any adult who is disabled?	Yes	No	
If yes, who?			
<b>List your children with your current spouse, and their children (your grandchildren):</b>			
CHILD'S FULL NAME	ADDRESS	AGE	MARITAL STATUS
1.			
Grandchildren- names & ages:			
2.			

Grandchildren- names & ages:			
3.			
Grandchildren- names & ages:			
4.			
Grandchildren- names & ages:			
5.			
Grandchildren- names & ages:			

**List your children from any prior relationship, and their children**

CHILD'S FULL NAME	ADDRESS	AGE	MARITAL STATUS
6.			
Grandchildren- names & ages:			
7.			
Grandchildren- names & ages:			
8.			
Grandchildren- names & ages:			

**D. YOUR PROPERTY**

		If yes:
Do you own your home?	Yes    No	Legal description: Approx value:
Do you own any farm land?	Yes    No	Legal description: Approx value:
Do you own any other real property?	Yes    No	Legal description:

		Approx value:
Have you an interest in mines and minerals?	Yes No	Legal description: Approx value:
Do you own any property jointly with someone not your spouse?	Yes No	Legal description: Approx value:
Do you have life insurance?	Yes No	Beneficiary:
Do you have a pension?	Yes No	Beneficiary:
Do you have RRSPs or investments?	Yes No	Beneficiary:
Do you own assets outside Alberta?	Yes No	Where:
Do you own any shares in a private corporation?	Yes No	Name of Corporation(s)
Do you own assets outside Canada?	Yes No	Where:
Do you have an interest/benefit in someone else's estate or a trust?	Yes No	Whose:
Does anyone owe you money?	Yes No	How much?
Do you own a life insurance policy on the life of another person?	Yes No	
Do you have a safety deposit box?	Yes No	Where?

**SUMMARY OF ASSETS & LIABILITIES  
(or attach recent net worth statement)**

<b>ASSETS</b>	<b>Est. Value:</b>	<b>DEBTS</b>	<b>Est. Value</b>
All real estate:		All Mortgages	
All bank accounts:		All Lines of Credit	
All RRSPs, pensions & investments:		All other bank loans	
Life insurance benefits:		Vehicle loans	
Private corporations:		All other debts	
Other:			
<b>TOTAL ASSETS</b>		<b>TOTAL LIABILITIES</b>	

<b>SECTION 2 – INSTRUCTIONS FOR YOUR WILL</b>			
DO YOU HAVE A WILL NOW?			
WHY DO YOU NEED A NEW WILL?			
<b>A. EXECUTORS (“Personal Representative”)</b>			
<p><i>Your executor, often your spouse, is responsible for looking after and distributing your property after you die . You need to name an alternate in case your first choice is unavailable when the time comes.</i></p> <p><i>It is important choose an executor who lives in Canada, and preferably Alberta.</i></p> <p><i>It is preferable but not essential that the Executors have been asked and are willing to act.</i></p>			
<b>1. Your Executor(s) (usually spouse, if applicable)</b>			
FULL NAME	RELATIONSHIP TO YOU	ADDRESS	AGE
<b>2. Your Alternate Executor(s)</b>			
<b>1. Spouse’s Executor(s) (if applicable)</b>			
FULL NAME	RELATIONSHIP	ADDRESS	AGE
<b>2. Spouse’s Alternate Executor(s)</b>			
<b>B. GUARDIANS FOR MINOR CHILDREN (under 18)</b>			
<p><i>A surviving parent will almost always be the guardian of your children.</i></p> <p><i>If both parents pass away, it is important that another guardian has been named, plus an alternate in case your first choice is unavailable when the time comes.</i></p> <p><i>It is preferable but not essential that the guardians have been asked and are willing to act.</i></p>			
<b>First choice of Guardian</b>			
FULL NAME	RELATIONSHIP	ADDRESS	AGE
<b>Alternate Guardian</b>			
FULL NAME	RELATIONSHIP	ADDRESS	AGE

<b>C. ESTATE DISTRIBUTION TO BENEFICIARIES</b>				
<p><i>Your beneficiaries are the people who will inherit your property.</i>  <b>Primary distribution</b> is your first choice of beneficiaries - usually your spouse (if applicable) if they survive you.  <b>Secondary distribution</b> is who inherits your property if your first choice has died before you.  <b>Special gifts or legacies</b> are specific high value gifts you want to leave to specific people, such as land, money, or valuables.</p>				
<b>PRIMARY DISTRIBUTION</b>				
<b>Everything to your spouse?</b>		Yes	No	
If no, then who is to inherit?				
FULL NAME	ADDRESS:			
FULL NAME	ADDRESS:			
<b>SECONDARY DISTRIBUTION: if your spouse or first choice of beneficiary dies before you, then:</b>				
Everything to your children and step children equally?		Yes	No	
If no, then equally to your children only?		Yes	No	
If no, then who is to inherit?				
FULL NAME	ADDRESS:			
FULL NAME	ADDRESS:			
<b>Special gifts and legacies (list property, items, or amounts)</b>				
FULL NAME	GIFT:			
FULL NAME	GIFT:			
<b>If a child dies before you or doesn't reach the age of inheritance, then that person's share is to:</b>				
Go equally to his or her children (your grandchildren)?		Yes	No	
If no, or he/she has no children, then equally to your surviving children?		Yes	No	
If no, then who is to inherit?				
FULL NAME	ADDRESS:			
FULL NAME	ADDRESS:			
<b>Age of Inheritance</b>				
<p><i>The age of majority is 18 in Alberta. You can specify if you want children to receive their inheritance at 18 or older. You may also specify that a percentage of the inheritance is to be given at different ages.</i></p>				
Minors inherit at:	18	21	25	Other:
<b>Family demise</b>				
If you, your spouse, children and grandchildren die in a common accident, who is to inherit?				
½ to my parents and ½ to my spouse's parents		Yes	No	
½ to my siblings and ½ to my spouse's siblings		Yes	No	
To my spouse's and my nephews & nieces equally		Yes	No	
To charity? If so which ones:		Yes	No	

<b>D. DISPOSITION OF REMAINS</b>			
<b>What would you like to happen to your remains? Please circle one</b>			
Please circle one:	Burial	Cremation	Other:
<b>Do you have plans for the following?</b>			
Location of Plot			
Pre-arranged Funeral	Yes	No	Who with?

<b>SECTION 3 – INSTRUCTIONS FOR YOUR ENDURING POWER OF ATTORNEY (EPA)</b>			
DO YOU HAVE AN EPA NOW?			
WHY DO YOU NEED A NEW EPA?			
<b>A. ATTORNEY(S)</b>			
<p><i>Your attorney can look after your financial affairs and legal matters while you are alive.</i></p> <p><i>You can name one person alone, two people to act together or one person with an alternate. Joint attorneys can only act together. Joint and several attorneys can act together or separately.</i></p> <p><i>You should ask your attorney if they are willing to act for you in this way.</i></p>			
<b>Your Attorney (usually spouse)</b>			
FULL NAME	RELATIONSHIP	ADDRESS	AGE
<b>Your Alternate Attorney</b>			
FULL NAME	RELATIONSHIP	ADDRESS	AGE
<b>Spouse's Attorney (usually spouse)</b>			
FULL NAME	RELATIONSHIP	ADDRESS	AGE
<b>Spouse's Alternate Attorney</b>			
FULL NAME	RELATIONSHIP	ADDRESS	AGE
<b>B. SPRINGING or IMMEDIATE</b>			
<p>An immediate EPA comes into effective right away and continues even if you lose mental capacity.</p> <p>A springing power of attorney comes into effective only if you are declared unable to make decisions.</p>			
<b>Would you like an immediate Enduring Power of Attorney?</b>		Yes	No
<b>C. RESTRICTIONS</b>			
<p>A general EPA allows your attorney to act on all financial matters, including taxes, land, gifts, professional services etc. A specific EPA only allows your attorney to act of particular matters.</p>			
<b>Are there any restrictions you want to put on your attorney?</b>		Yes	No
If yes, what restrictions?			



<b>SECTION 4 – INSTRUCTIONS FOR PERSONAL DIRECTIVE (PD)</b>			
DO YOU HAVE A PD NOW?			
WHY DO YOU NEED A NEW PD?			
<b>A. AGENT(S)</b>			
Your agent can look after your health affairs , including health care, accommodation and activities, while you are alive, if you are unable to take your own decisions.			
You can name one person alone, two people to act together or one person with an alternate. Joint agents can only act together. Joint and several agents can act together or separately.			
You should ask your agent if they are willing to act for you in this way.			
<b>Your Agent (usually spouse)</b>			
FULL NAME	RELATIONSHIP	ADDRESS	AGE
<b>Your Alternate Agent</b>			
<b>Spouse’s Agent (usually spouse)</b>			
FULL NAME	RELATIONSHIP	ADDRESS	AGE
<b>Spouse’s Alternate Agent (usually spouse)</b>			
<b>B. DECISIONS</b>			
In cooperation with your physicians, your agent will usually decide when you are no longer able to make your own decisions. A general PD allows your agent to make decisions about all health matters, including accommodation, end of life care, etc.			
<b>Is there someone else you want to be involved in decisions?</b>		Yes	No
If yes, who?			
<b>Is anyone else to be notified when your PD comes into effect?</b>		Yes	No
If yes, who?			
<b>Are there any restrictions you want to put on your agent?</b>		Yes	No
If yes, what restrictions?			

