

YOU'VE WRITTEN A WILL... NOW WHAT?

Congratulations on completing your will! Your thoughtfulness and foresight will be much appreciated by those you love. Now it's time to do something similarly considerate for those who will carry out your wishes. It's time to write a "last letter," which will aid your executor in administering your estate and reduce costs if a professional executor or co-executor is selected. (The administrator of an estate is also known as the "estate trustee" and in Quebec as the "liquidator.")

This last letter may touch on whatever you feel is important, but it should give special attention to the vital information that will smooth the transition of your passing for those you leave behind and clarify anything which may be misunderstood. You'll definitely want to cover such categories as assets, estate administration, personal property, and funeral plans. What follows is a suggested outline for such a letter.

Begin by stating clearly the scope and purpose of the document. If you intend to update it periodically as your circumstances and wishes change, indicate where the latest version can be found.

ASSETS

In this section, include detailed descriptions of the financial assets you will leave behind, including such items as pension funds, insurance policies, and real estate holdings that you may not have thought about for years.

Bank accounts. Most people have multiple bank accounts, so be sure you don't overlook any. List each by type and account number, with the name and address of the bank. Indicate where your personal bank records are kept.

Real estate. Those you leave behind may have little reason to know about real estate you own other than your permanent residence. Compile a complete listing of all properties and indicate where deeds and other documents can be found. Mention any mortgages or other encumbrances and, if properties are leased or rented, give details and note where the agreements are filed.

Brokerage accounts and investments. Much like bank accounts, brokerage accounts can be hard to locate without sufficient information. List all such accounts, with account numbers and addresses and phone numbers of the brokerage firms. It's especially important to include information about investments that would be harder to discover, such as partnership interests, private corporations, and limited liability companies. Your executor will need to know where to find the pertinent records, and may especially appreciate your advice on whether particular assets should be held or sold, and if sold, to whom.

Insurance. Life insurance proceeds are often a major part of a decedent's estate. Inform your executor of all policies that may provide benefits when you die. List your policies by number and insurance company, and include names of your insurance agents or advisors. Don't overlook death benefits sometimes attached to organizational memberships, mortgages or credit card accounts.

Pensions and other employee benefits. The particulars of your employee benefits may be extremely important to your survivors. Is someone entitled to collect your pension after your death? What are the settlement options? As best you can, identify such benefits and name a contact person with your employer who can supply more information. Don't forget about health insurance. Your executor will need to know about your plan in order to collect payments related to your final illness, and your survivors will need to know whether coverage continues for them.

Digital Assets. The inventory of an estate also includes digital property, and locating and getting access to it can be challenging for an executor if information is not provided. You may pay bills, receive account statements, and conduct other transactions online. Without a list of these accounts and a list of passwords or legal authorization, data privacy laws may block entry into the accounts. Most social networking sites have little or no financial value, but there can be intellectual rights in digital property. Thus, you should make a list of all accounts and programs that are accessed by passwords and the password for each. Keep a copy of this information in a bank safe, deposit box or home safe, and tell the person you have selected as estate trustee where it is kept.

Debts and loans. Describe fully any outstanding debts you owe, including interest rate, payment schedule and any special arrangements. If you have no debts, say so. Is any money owed to you by others? Include information about these loans and any advice you may have about how to collect them.

ESTATE ADMINISTRATION

This section should describe the persons and other sources of information that will be vital to the settlement of your estate in an expeditious and faithful manner.

Attorneys and accountants. Your executor will need the names of your present advisors, those to whom you gave a power of attorney, and also those who have served you in the past. It is likely that your advisors possess records and documents the executor will need in settling your affairs. Your recent tax returns will also provide vital information. Include in your letter an explanation of any tax matters still pending, such as audits or extensions on returns.

Retirement plan beneficiaries. Who are the beneficiaries of your retirement assets (RRSPs or RRIFs)? Where are the plans held? How are the beneficiaries to be paid? Are you the beneficiary of anything that you could pass on to your own beneficiaries? Your executor will need this information.

Safe deposit boxes. In some provinces, any safe deposit box you own will be sealed upon notice of your death and remain sealed for some time. Do not put the *original* copy of your

will in your safe deposit box, since it may not be available when needed! Tell your executor where the original is kept, along with copies of other important documents that may be needed before the box is opened. In your letter you should also list the contents of each safe deposit box you hold, name any other persons who have access to the box, and indicate where the keys are kept.

Living wills, organ donations and medical records. Your doctor should have original copies of these and other health-related documents. You might want to consider attaching copies to your letter for reference purposes.

Numbers and keys. List important numbers, such as your Social Insurance number (SIN) and any military service serial numbers, which will make it easier to trace things. Indicate where keys are kept and how particular keys can be identified.

PERSONAL PROPERTY

Include here anything not included in the assets section of your letter or in your will. If you have specific plans for personal items or care instructions for anything else left behind (clothing, antiques, pets), note them here. If you have set aside cash for the immediate use of your survivors following your death, specify its location.

Credit/Debit cards. Your executor will want to gather up all of your credit and debit cards and settle all of the accounts shortly after your death. Indicate where your cards can be found and identify other persons who may possess cards on your accounts.

Jewelry, china, art, furniture, collectibles, personal effects, etc. Items having personal or sentimental significance often fall into these categories, and your executor will need to see that they get to the appropriate beneficiaries. Recent appraisals of valuable items can be of great assistance. Also, it is crucial that your executor know if you have loaned anything of significance to someone and, if so, how to contact that person.

FUNERAL AND BURIAL

Many people make advance arrangements for their last rites and for the disposition of their remains, whether by burial, cremation or donation to medical science. If you have made such plans, mention them in your letter and be sure to note whether any advance payment has been made toward the cost of your funeral and burial. Provide the name of the funeral home and add any further requests or suggestions you may have.

Timeliness is crucial in publishing the death notice and notifying others of your death. Be sure to include the necessary data or indicate where it can be found. Provide the names and addresses of persons to be notified when your death occurs.

LEAVING A LEGACY TO THE COMMUNITY

Many Canadians make legacy gifts at the end of their lives. While it is natural for individuals to think first of family and friends when planning their estates, many also include support for institutions that have been vital parts of their lives. In so doing, they also convey their values to the next generations. Because these legacy gifts generate a

charitable tax credit on the final income tax return, and because the capital gain in gifts of listed securities is not taxed, a legacy gift may not have a major impact on provisions for heirs.

Types of legacy gifts. You don't need a large estate to make an end-of-life gift. Frequently such gifts are made through a gift in a will of cash, securities, real estate, or other property. They can also be made by naming a charity as a beneficiary of a trust, life insurance policy or remaining retirement fund assets. The gift can be a specific dollar amount or a percentage of what remains after making provisions for family members and close friends.

Designating a purpose. In your will, or by separate letter, you can specify the purpose for which your gift is to be used by the organization you choose to support. It may be unrestricted – to be used wherever the need is greatest – or designated for a specific program. If you choose a restricted gift, be certain to notify the charity in advance of your intention so there will be no problems in carrying out your wishes.

It is also important to provide the exact name of any charity you designate as beneficiary so your gift can be transmitted correctly. For our organization, the proper designation is *[Full Name of Charity]*.

If the will you have completed includes a request to *[Charity]*, we thank you for your thoughtfulness. We invite you to inform us about your intentions so that we may acknowledge you along with the other special people who have made future commitments. The confidentiality of all bequest provisions is maintained. If your completed will does not include a charitable bequest, you might consider adding one through a codicil.

WRAPPING IT UP

Anything not covered elsewhere that you feel needs to be mentioned should be included in the concluding section. Either in this section or in a separate document, sometimes called “an ethical will” you may wish to discuss your guiding values.

WHEN YOU COMPLETE YOUR LETTER be sure to date and sign it. You may wish to have it witnessed and to give a copy to your executor, spouse, child or a close friend. On the other hand, if you expect to change the letter from time to time, you may prefer to keep its contents private. In that case, inform selected persons that the letter exists and where to find it.

FOR MORE INFORMATION

We invite you to write to us for a free booklet, _____. We would be happy to meet with you or your financial or legal advisor about a gift to *[Charity]*. Please write to _____ or telephone _____.