PUTTING YOUR AFFAIRS IN ORDER

A Leave-Behind Guide for Your Loved Ones

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For legal assistance or advice you should contact a lawyer. For income tax advice you should contact a qualified accountant. This book is intended for educational and informational purposes only.
Dedication

To the memory of my wife Claire’s good friend Nancy Byrne, who inspired me to write this book.
I would be remiss if I did not acknowledge all of the people who helped me by carefully reviewing this book. This book would not be complete without their corrections and suggestions. In particular I must thank:

My wife Claire, who read and reread the text to correct my mistakes. She also made many great suggestions.

Karen Mitchell, my daughter, who also found spelling mistakes in my writing.
1. The Importance of Planning

President Franklin Delano Roosevelt left exact instructions concerning his funeral in a four-page document addressed to his son, James. It read, “If I should die while in office, I want a service of utmost simplicity held in the East Room of the White House. There should be no Lying in State, no gun carriage and no hearse. The casket should be of the utmost simplicity in dark wood. The body should not be embalmed or hermetically sealed. The grave should not be lined with brick, cement or stone.” Those directions were certainly explicit and carefully spelled out his last wishes.

The only problem was that no one knew about these directions. They were found in the President’s private safe a few days after his elaborate funeral and burial.

There are currently almost 300,000 deaths per year in Canada. Surprisingly, more than 20 percent of those are younger than the age of 65. We are all going to die. Everyone does.

It could be any day, yet we put off putting our affairs in order and then our loved ones are left to deal with everything at a time when they are overcome with grief. They may or may not remember anything you may have said as to your wishes. Why not help them with dealing with your death and, at the same time, clarify how you would prefer to have your death handled and your life to be remembered?

Most people put off doing any estate planning because they do not expect to die soon. They say, “I must make a will and get my affairs in order just as soon as I have time.” However, in today’s busy world, they just do not make the time. Others say, “Oh, I’m OK because I drew up my will years ago.” They do not think about the fact that with an outdated will and without the necessary information about such things as bank accounts and the location of important documents, that they are leaving a lot of extra work for their executor(s) and their loved ones.
Just think about the difference it would make if you provided all the necessary information for them ahead of time. Instead of them having to waste time looking for missing papers, people to contact, phone numbers, addresses, how to deal with the government, etc., they would have everything they needed in one place, making their tasks much easier. That is what this book aims to do for you and for them.

When a loved one dies the ones who are left behind are overcome with emotion. It is difficult for them to think straight. They will never see that person again. They have lost part of their life. It is difficult for them to carry on. Yet, there are things that must be looked after because of the death. Some of these things need to be done right away and others can wait for a little while.

You can relieve some of the pain and sorrow for your loved ones by preparing certain things beforehand. This book will explain matters that must be taken care of in the average case and how to do them. It will help you to organize your affairs to make it easier for your loved ones, your executor(s), and your lawyer to deal with all that must be done.

Each year large amounts of money belonging to estates are left unclaimed simply because there is not enough information available to determine its existence or how to contact the heirs. Unnecessary costs are incurred and unnecessary income tax is paid because of the lack of information. Without the information that you can provide in this kit, your heirs may be deprived of money that you have worked hard to earn and save.

2. What This Book Will Do for You and Your Loved Ones

Using this kit will enable you to provide —

• all your important papers and information in one safe place,

• Powers of Attorney when necessary,

• a checklist for your survivors to follow in order to ensure that everything is done,

• some advice about your will and the choosing of your executor(s), and

• an extensive list of the powers and duties of your executor(s).

It will also allow you to state your wishes as to —

• your funeral and/or cremation,

• a celebration of your life,

• disposal of your remains,

• your obituary,

• organ and/or tissue donation, and

• people to contact regarding your death.

You will be able to —

• provide important information needed for income tax purposes and for locating assets and documents;

• provide necessary information about banking and credit cards;

• provide information needed for dealing with the government;

• leave a list of your passwords, lock combinations, etc.;

• provide information for contacting providers of household utilities, etc.;

• assist in ensuring that your family business is looked after;

• find help in understanding various legal terms;

• help your loved ones in dealing with the numerous tasks that they must perform because of your death;

• help to ensure that your heirs do get all the property that you intended;
• have your family avoid spending thousands of dollars on things that you do not really want;
• make your death easier to handle for those who grieve and handle the inevitable details;
• help to have your life remembered on your terms; and
• obtain peace of mind.

Read on to learn how to use this kit to your advantage.

3. Using This Kit as the Person Leaving Information for Loved Ones

If you plan to use this kit to leave behind information for your loved ones, using this kit is simple.

In order to provide your loved ones with all of the information that they need, follow these steps:

1. Find a pencil so that you can make changes as necessary.
2. Signify with a check mark, on each information page in this book, when an item applies to you.
3. Fill in all the blank spaces in this book with as much information as possible. (This book is meant to be a fillable workbook. If you prefer, you can access and download the forms through a link printed at the back of this kit, and fill them in online and/or print as many copies as you need.)
4. Do not send originals of documents to anyone. Keep the original documents together with this book so that they are all in the same place.
5. Give a copy of this completed book to your lawyer and a copy to the executor(s) of your estate. Provide them with a copy of updates as you complete them.
6. Review this book and your will at least once per year in order to ensure that it is up to date.
7. Give a copy of the appropriate pages of this book to the people who are named as Powers of Attorney, executor(s), and others, so they can act when necessary.

Just think how useful all of this information will be if you and your spouse pass in an accident at the same time. It does happen sometimes.

Your executor(s) and your loved ones will appreciate having this information at a time when they need your help the most.

It is not my intention to give legal advice to anyone as I am not a lawyer. I merely hope to help you get your affairs in order so that your loved ones will get through these times with the least amount of trouble.

A word of caution: When all of the information has been filled in, this book will contain a great deal of personal information. In the wrong hands, this information could be used to your disadvantage. Be careful what you do with copies.

Also, to make it easier to get some of the forms copied, if you prefer to do things online, the downloadable forms included with this kit are available through the link printed at the back of this book. If you need to print extra checklists, that’s the place to go.

4. Using This Kit as the Person Receiving Someone Else’s Information

Although this is likely a difficult time, this kit was put together to make your time dealing with someone’s death a little easier by
organizing that person’s thoughts ahead of time.

Jump ahead to Chapter 2, Letter to My Loved Ones. That will get you on the right start to finding the information you need to proceed.

One of the first things that needs to be done after a passing is to deal with a funeral or memorial and obituary. Wishes for these things have been recorded in Worksheet 5 and Worksheet 6, respectively. If the person who left you this kit completed them, they should help you quite a bit.

Consult Chapter 14 for the Survivor’s Checklist and Executor’s Checklist. These are specifically for you to use as you navigate the next little while.

Once you’ve got the basics started, know that this kit, if completed, has a lot of information about the person who left it and his or her estate. Go through all of the chapters and worksheets in the book or stored with it. This information should be invaluable to anyone taking on the tasks ahead after someone’s passing and should be handled and stored with care.

The downloadable forms included with this kit are available through the link printed at the back of this book. If you need to print extra checklists, that’s the place to go.
The letter on the next page can be used to explain the situation to loved ones when they receive this book. You can fill in the blanks on this page, or alternatively, download it from the kit and alter it as you need (see instructions for downloading at the back of this book). If you’d like, flag or bookmark this page so that if you’re not able to explain this kit to someone, he or she will find this page quickly.
Dear_____________________

When you read this, I will have passed away or I will be near death. I am sorry to leave you as I love you dearly. However, my time has come.

My passing will create a lot of work for you that you have had little training to deal with. Therefore, I have left this package of information for you in the hope that it will be of some assistance to you and make the job easier. Some of these matters will need to be dealt with soon after my death. Others can wait a little while until things settle down again for you. Some things you will be able do yourself, some will be done by the executor(s), and some may require the assistance of a lawyer, and perhaps an accountant, or other professional, perhaps friends or other loved ones who may be able to help.

I ____________________ (do/do not) wish to be on life support or in a coma where I am unable to take care of myself. Therefore, I have appointed a __________________ (insert Substitute Decision Maker, Representative, etc., as the case may be according to your province or territory’s wording on any Power of Attorney/Advance Care Directive/Representation Agreement you make), giving someone the power to make decisions dealing with my health. I have discussed my thinking about this with this person. I have also appointed this person so that someone has the legal authority to make decisions about my finances and other property and will be able to sign documents for me, while I am alive, if I am not able to do so myself.

I have included a copy of my will (separate but kept with this kit). This should be read soon after my death as it provides my wishes for disposal of my remains, appointment of my executor(s), and other information that you will need immediately. Enclosed also is a list of the names, addresses, and phone numbers of relatives and friends that I think should be informed about my death. I have also provided lists of names and contact information that will be needed in order to deal with my affairs and the contact information of my heirs. I hope I have not missed anything. My executor(s) will need these lists in order to fulfill his/her/their duties. (You will also see that there is a section explaining the powers and duties of the executor and a checklist for this person too).

You may need to apply for a death certificate. This may be needed soon after my death as it could be required when dealing with matters such as Canada Pension Plan, Old Age Pension, etc. You will need several copies of the certificate. Sometimes the funeral home will apply for this for you, if you otherwise use its services. I have provided instructions for how to apply for one, in the event that you or the executor(s) must do this.

The list of assets that I have completed should make it easier to deal with my estate and the checklists should help to ensure that nothing is missed and that you will have all the resources and benefits to which you may be entitled.

_____________________________        _____________________________

Signed                          Date