

Will and Testament

Your Will is the most important legal document in your estate. It's the document that says who gets your house, your savings, your car, your jewellery, and everything else you own. It names your executor (the person responsible for carrying out your wishes). And if you have children under 18, it names their guardian.

Without a Will, the law of your province or territory decides who inherits, and the result may not match what you would have chosen. The rules vary across Canada (especially for common-law partners), so the best way to make sure your wishes are followed is to have a Will drawn up by a lawyer (or notary in Quebec).

So if you don't have a Will yet, get one. This organizer is not a substitute for a Will. It supports your Will by making sure your executor can actually find it and understand it.

Here's what to include in this section:

Do you have a Will? If yes, when was it written? Wills should be updated every few years or after major life changes (marriage, divorce, kids, buying property). If your Will was written 15 years ago and you've remarried since then, it's probably out of date.

Where is the original Will stored? Your executor needs the original, not a copy. Most people keep it with their lawyer, in a safe at home, or in a safety deposit box. Wherever it is, write it down.

Who is your executor? This is the person (or people) you've named in your Will to handle your estate. Include their name and contact details. If you've named a backup executor, include them too.

Who drafted your Will? Include your lawyer's name and contact details. Your executor will need to contact them to confirm the Will is valid and get advice on the probate process.

Does your Will include a testamentary trust? Some Wills set up a trust to manage assets for beneficiaries (for example, if you're leaving money to young children who can't manage it yet). If yours does, note it here.

Have you named a beneficiary for your retirement savings? Whether and how you can do this, and what happens if you don't, can depend on the account and your province, so it's worth confirming the details with your financial institution, lawyer or notary, or advisor. If you have named someone, note where that paperwork is stored.

WHY THIS MATTERS

Your Will is only useful if your executor can find it. And they need to know who to contact (your lawyer), where the original is stored, and whether there are any special provisions (like a testamentary trust).

By filling this out, you're making sure your Will doesn't sit in a drawer gathering dust while your family searches for it.

You've just saved them weeks of stress.

Your Will and Testament

Where your Will lives, who carries it out, and the wishes attached to it.

YOUR WILL AND TESTAMENT

DO YOU HAVE A VALID WILL?

Tick one: Yes / No / Currently being drafted

IF YES, WHEN WAS IT LAST UPDATED?

(Month/Year)

IS YOUR WILL UP TO DATE WITH YOUR CURRENT CIRCUMSTANCES?

Tick one: Yes, it reflects my current wishes / No, it needs updating (note what's changed)

WHERE IS THE ORIGINAL WILL STORED?

Tick one: With my lawyer (details below) / In a safe at home location / In a safety deposit box (which bank / Other (specify)

LAWYER WHO DRAFTED THE WILL:

NAME

FIRM

Your Will and Testament (cont.)

PHONE

EMAIL

ADDRESS

YOUR EXECUTOR(S): PRIMARY EXECUTOR:

NAME

RELATIONSHIP

EMAIL

ADDRESS

BACKUP EXECUTOR (IF APPOINTED):

NAME

RELATIONSHIP

PHONE

EMAIL

ADDRESS

DOES YOUR WILL INCLUDE ANY SPECIAL PROVISIONS?

Tick one: None (skip the below) / Testamentary trust (for managing assets for beneficiaries) Details / Specific bequests (certain items go to certain people) Details / Charitable donations Details

Your Will and Testament (cont.)

RETIREMENT SAVINGS BENEFICIARY DESIGNATION:

HAVE YOU MADE A BENEFICIARY DESIGNATION FOR YOUR RETIREMENT SAVINGS?

Tick one: Yes, beneficiary designation(s) on file / No, no beneficiary designated (will flow to estate) / Not sure - need to check with provider

RETIREMENT PLAN NAME

If yes:

BENEFICIARY(IES)

DATE NOMINATION MADE

WHERE IS THE NOMINATION STORED?

NOTES (ANYTHING ELSE YOUR EXECUTOR SHOULD KNOW ABOUT YOUR WILL)