

REVIEWING & CHANGING YOUR WILL & POWER OF ATTORNEY PACKET

You can view and print this packet in PDF format, but in order to submit the forms online, which is easier for you, please use the [interactive forms INDEX](#)

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REVIEWING AND CHANGING YOUR WILL AND POWERS OF ATTORNEY PACKET

Enclosed are two articles and one checklist that I have written entitled, Changing Your Will, Estate Planning for the Average Canadian and Reviewing Your Will and Powers of Attorney Checklist. Also enclosed, is my Change of Will and Powers of

Attorney Questionnaire, Will and Power of Attorney Asset Information Form and Fee Schedule.

My process when clients wish to revise their Wills and Powers of Attorney that were originally done by me is as follows:

I ask for instructions in writing from my clients by completing the Change of Will and Powers of Attorney Questionnaire and if easy and convenient it can also be accompanied by a photocopy of the old Will and Powers of Attorney with the proposed changes written in. The questionnaire asks for an explanation as to why the changes are being made to ensure the Will will not be challenged. Perhaps, someone was receiving money in the previous Will and is now being cut out of the updated Will. Also to avoid a challenge to the Will, I ask for updated financial information, as a factor in determining competency to make a Will, one must have knowledge of one's assets. Obtaining the updated financial information is done by the Will and Power of Attorney Asset Information Form on my website, or just a brief explanation in writing as to assets and debts and their values. This financial information might also suggest the possibility of more sophisticated estate planning. Once I receive these forms, I generally might call the client for further information and clarification or I will simply send out the draft Will and Powers of Attorneys for my client to review. I try to do that usually within a week of receiving the information or sooner if the client advises there is an urgency. The client can then email me or my staff or comment by phone as to changes and to make an appointment to sign. Therefore to keep the costs down, I see my clients only once, when the revised Will and Powers of Attorney are signed.

The cost of revising Wills and Powers of Attorney where I had done the Will and Powers of Attorneys originally, though the client is getting a completely new Will and Powers of Attorney, is about two-thirds of the regular cost. Attached is my Fee Schedule for Wills and Powers of Attorney which includes the cost to revise them. The client will receive a new manual with the up to date memorandums in the manual. If the Will and Powers of Attorney are identical to the old Will and Powers of Attorney but are only being done because of a marriage I have a reduced fee (consider it a wedding present).

If you wish to talk to me first before sending me the information in writing, please feel free to do so. If the changes are really simple, I might fill out the Change of Will and Powers of Attorney Questionnaire over the phone though I would still want the Will and Power of Attorney Asset Information Form filled out.

If the changes are such that the client wishes a consultation first at my office, which sometimes is the case in complicated family matters, then the cost would be the regular price of doing a Will and Powers of Attorney for the first time as just as much or more time might be spent on the file and there are two appointments in total.

LAWRENCE S. PASCOE

REVIEWING YOUR WILL AND POWERS OF ATTORNEY CHECKLIST

The following changes might necessitate a change to one's Will and Powers of Attorney.

Major Life Changes

1. Have you separated?
2. Have you divorced?
3. Have you remarried?
4. Has your spouse died?
5. Are there children or grandchildren you now would want included or not included in the Will?

Executors (Estate Trustees) and Attorneys

1. Have any executors or attorneys died?
2. Are any executors or attorneys mentally incapable or unable to administer your estate?
3. Do you still want the appointed executors and attorneys or alternates administering the estate or looking after you?
4. Are your children now over 18 years old and capable to be estate trustees and attorneys?

Beneficiaries

1. Have any beneficiaries died ?
2. Have you had a falling out with any beneficiary and want to withdraw that bequest?
3. Do you want to increase a specific bequest?
4. Do you want to change the age when a minor receives the bequest?
5. Are any beneficiaries incompetent (therefore discretionary trust)?

Custodians

1. Are the custodians still the proper persons to look after the children?
2. Are custodians no longer needed?

Assets

1. Are any assets specifically bequeathed in the Will no longer in existence?
2. Has the total value of the estate changed necessitating a change to the bequests?
3. Has the value and nature of the estate increased to an amount that a testamentary trust or other estate planning technique be beneficial?

LEGAL CONSIDERATIONS

1. Was the Will done before 1986 and therefore needs a Family Law Act clause to protect inheritances in case of separation of a beneficiary?

2. If there was a second marriage will the amount bequeathed to the spouse be greater than the equalization amount? Is a marriage contract needed?
 3. If the Will was done before 1979, are there any children born outside of wedlock that should or should not be in the Will?
 4. Was the Power of Attorney done before 1994 and therefore you need a new Continuing Power of Attorney for Property and a Power of Attorney for Personal Care ?
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CHANGING YOUR WILL

The purpose of this article is to discuss how a person can properly change his or her Will, what happens if the change is done improperly and what effect marriage and divorce has on the Will. For a review of when a change might be necessary, please see my checklist “Reviewing Your Will and Powers of Attorney Checklist” .

CODICIL

Should a change to a Will be needed, then a document called a Codicil can be made. The Codicil refers to the original Will, then states the changes desired and then confirms the original Will. The Codicil must be executed in the same manner as the Will and therefore requires two witnesses who are present at the same time to witness the signature of the testator (the testator being the person who makes the Will and Codicil). The exception to the rule regarding witnesses occurs when the testator writes out the Codicil completely in his or her own handwriting, not typewritten, and then signs his or her name at the bottom of the Codicil.

Since Codicils are often short and simple, it is possible for one to prepare his or her own Codicil. However, there are a number of disadvantages in not having a lawyer draft and arrange for the execution of a Codicil. Firstly, it may be that the change will create certain legal or practical problems which the lawyer may advise against doing. Secondly, if the changes are such that someone may challenge the Will on the grounds of testamentary capacity or undue influence, it would be better to have the lawyer draft the Codicil and be present at the execution of the Codicil so to testify that the client was not unduly influenced and had testamentary capacity. Thirdly, the Codicil may be improperly drawn or executed. It is actually quite common that Wills and Codicils executed by non lawyers are not done right. Finding the witnesses where the lawyer did not arrange for the execution of the Will is also another practical problem. Fourthly, the Codicil will show the changes. This may not be desired if someone is being removed as a beneficiary or has their legacy reduced. Fifthly, it is better to keep the Codicil and Will together so that it is known upon death that there is a Codicil in existence and that may not be the case if the lawyer is holding the Will but not the Codicil. Sixthly, if the Codicil has to go to probate, there will be extra time and costs to prove the holograph Will. Generally, a Bank Manager’s Affidavit with the signature card is needed to prove the Will if it is a holograph.

I may be biased because I am in the business of drafting Wills, but I believe the Codicil should only be used for temporary purposes and that the person should get a lawyer to prepare a proper new Will.

As it is just as easy and will cost the same to have a new Will drawn as it would be to prepare a Codicil and for the reasons stated above, I recommend that a new Will be prepared by the lawyer and that it be properly executed before the required two witnesses. At that time, the lawyer can also advise as to any changes in the law such as the Family Law Act, which might affect the original Will. Also, at that time, there would be a review to discuss whether there are opportunities for estate planning so to increase the size of the estate.

If one wants to make the changes himself or herself, then I suggest the form as shown in the appendix of this article be used. If the form is used and there are not two witnesses present at the time, IT MUST BE HANDWRITTEN BY THE TESTATOR to be valid.

ALTERATIONS

Often people make changes on their original Will such as crossing out names or paragraphs. An alteration has no effect unless it is signed (not initialed) by the testator and two witnesses. Of course, if the Will is a holograph Will (completely in the handwriting of the testator) then the alteration is valid, if signed just by the testator. It is also improper to insert a new page in the Will without properly executing the whole Will.

REVOCAION BY MARRIAGE

A Will is automatically revoked upon marriage unless the Will specifically states that the Will is made in contemplation of marriage. There is the following exception. If a testator has a Will in which "x" is a beneficiary and he later marries "x", then upon his death "x", who is now the widow, has the option of taking the bequest given in the Will or taking her benefits according to law which apply when there is no Will.

PARTIAL REVOCATION BY DIVORCE

If after making a Will a person divorces his or her spouse then unless it is expressed in the Will to the contrary all bequests to the former spouse are revoked. Also revoked is the appointment of the former spouse to be the executor or trustee.

APPENDIX "A"

The following is a sample Codicil which must be witnessed by two witnesses who are present at the same time and observe the testator sign, otherwise it is not valid unless the Codicil is done completely in the handwriting of the testator. The witnesses cannot be the executors or beneficiaries or spouses of the executors or beneficiaries.

CODICIL

THIS IS A Codicil to the last Will of me, of the City of Ottawa, in the Province of Ontario, which Will is dated the day of , 20 .

1. I wish to add a clause to my said Will. This clause is the following:
2. I wish to delete clause .
3. In all other respects I confirm my said Will.

IN WITNESS WHEREOF I have to this Codicil to my last Will written upon this page, subscribed my name this day of , 200 .

SIGNED BY)	
as his/her Codicil to his/her last)	
Will, in the presence of us, both)	
present at the same time, who at)	
his/)	
her request, in his/her presence and)	_____
in the presence of each other have)	
hereunto subscribed our names as)	
witnesses.)	
)	
Signature)	Signature _____
_____)	
Address)	Address _____
_____)	
Occupation)	Occupation _____
_____)	

LAWRENCE S. PASCOE

* This article can only provide a general overview of a legal topic. Readers should

consult a lawyer and not simply act on the information provided in this article.
** Copyright Lawrence S. Pascoe, updated December 2008.

ESTATE PLANNING FOR THE AVERAGE CANADIAN

This article discusses in a summary way the many principles of estate planning that the average Canadian should know. The average Canadian is or was married or is living with someone, has children, owns a home, works or is retired and has or will have a family net worth at the time of retirement, with their equity in their home and registered and non registered investments around \$500,000. If one has less wealth than that, the principles still apply and can be just as useful. If one's wealth is more than that, these principles still apply but that person might also benefit from more sophisticated techniques such as trusts, estate freezes, life insurance and charitable donations. Consideration of foreign tax laws would also be necessary for persons with assets outside of Canada. Special planning is also sometimes needed for situations such as a vacation property, a family business or a disabled child.

A DEFINITION OF ESTATE PLANNING

I have found that there does not seem to be an agreed upon or simple definition of "estate planning". It is sometimes referred to as "wealth planning", "tax planning" or "financial planning". However, I believe estate planning deals with much more than just money, which "wealth", "tax" and "financial" imply. I suggest that estate planning, no matter what the size of the estate, is a process which is best defined by its goals. The following are my goals of estate planning: (a) one's assets on death go to the desired and appropriate beneficiaries; (b) the appropriate person or person is appointed to look after one's estate; (c) the estate is set up to be administered easily with as few conflicts as possible; (d) the amount of payments that the estate has to pay for taxes, costs and fees are minimized; and (e) what the beneficiaries pay for income tax made from their inheritance is minimized.

If one becomes mentally incompetent during one's lifetime, estate planning allows one's financial and personal affairs to be managed by the appropriate person or persons in an easy and orderly fashion. My definition does not consider estate planning to be about accumulating wealth during one's lifetime. That is in the realm of investing, budgeting and tax planning. I am also not including in this article, the tax savings that can be obtained by tax techniques that can be utilized when administering an estate.

TECHNIQUES USED IN ESTATE PLANNING

Though the Will is obviously the cornerstone of an estate plan, many other techniques can and should be used to obtain the estate plan's goals. I will review these techniques in a very brief way to show how a technique achieves the goals of estate planning. In doing so, I will also discuss when a technique is not appropriate as some techniques improperly used have created more problems than they solve. As this article is simply a brief overview, I will not discuss the specific mechanics of these techniques. Some of that information is found in other articles I have written.

Wills

A Will is a formal written document needed in every estate plan. Unless the Will is in one's own handwriting it must be executed properly with two witnesses to be valid. The Will accomplishes the major goals of designating who gets all or most of the deceased assets on death and appoints the appropriate person or persons to look after one's estate. If there is no Will, then the provincial law sets out who would be entitled to apply to look after the estate which may not be the person the deceased wanted. The provincial law will also dictate who the beneficiaries are and at what age they obtain their legacy. Again, people may be surprised at who the law says is entitled to the estate and it might be quite different from what the deceased wanted. A Will can also appoint who will be the custodians of minor children. Including a testamentary trust in a Will can reduce income tax payable by the beneficiaries on an ongoing basis after death. For further information about Wills, please see my article "The Reasons for Having a Will".

Multiple Wills

The use of multiple Wills is useful when a person has assets in many different jurisdictions. Each Will can be submitted to the proper court in each jurisdiction. However, there is another use for having more than one Will. In Ontario since 1992 the case of "Granovsky vs Ontario" confirmed the legality of the practice in Ontario of having a separate Will for assets that do not need to be probated. That way probate fees could be saved on those non-probatable assets. Two relatively identical Wills are made. One for probatable assets one for non-probatable assets. This could save a substantial amount of money as in the Granovsky case when the assets under the secondary Will, being shares in a private corporation, were worth twenty-five million dollars. The cost of preparing the second Will has to be compared to the probate fees saved to determine whether it is financially worth doing multiple Wills. Real estate, money in the bank and investments are generally probatable so a separate Will is generally used in a case where there are shares in a private corporation.

Will Substitutes

There are a number of techniques used in an estate plan that are sometimes referred to as Will Substitutes because they take effect on death like a Will. They are mainly used to avoid probate fees as they pass assets to designated persons outside the Will. Some, but not all of them, also reduce the size of the estate to avoid paying claims against the estate. They generally speed up the payment to the beneficiary compared to having the asset distributed pursuant to the Will. However care must be given

because improperly used, they create extra expenses and problems on death and problems even before death.

Joint Ownership

The most common Will Substitute is joint ownership . Generally the deceased has a bank account (or sometimes even major investments) registered in their name along with name of one of their adult children. Though this is the deceased's money, this is generally done for three reasons.

Firstly, to make it easier for the children to make payments on behalf of the individual parent during their lifetime. Secondly, to avoid probate fees as probate fees are not paid on joint assets that have a right of survivorship, and lastly, the individual wants some ready cash available for the executor to pay funeral bills and other expenses upon their death.

However, I suggest that the joint bank account is not a good idea for many reasons. A Power of Attorney will accomplish the same purpose of allowing the child to use the money of the individual during their lifetime. It does not need to be a joint bank account. Secondly, upon one's death, though the bank will freeze the bank account until probate is obtained, the banks will allow certain expenses of the estate such as the funeral bills and legal fees to be paid out of the deceased's bank account and therefore, there is money available without having a joint account.

Though probate fees will be avoided on the joint bank account, the probate fees are only one and one-half percent of the assets and the savings are not worth the problems that joint ownership sometimes causes. The major problem that joint ownership causes is that upon death, there is often an argument between the other beneficiaries of the estate and the surviving joint tenant as to what the testator intended with respect to the money in the joint account. Cases have gone to the Supreme Court of Canada arguing whether it is the surviving joint tenant who gets the money or is it really part of the estate. If a joint account is going to be used then the Will must make it clear as to what the intentions of the deceased are.

There are however, other problems that are created by having joint ownership. There is the possibility that the child with whom there is joint ownership, takes the money themselves and uses it for their own benefit. If the child gets divorced, their spouse may argue that the joint account is really their spouse's and there could be an argument in the divorce proceedings. This is especially common if a cottage is put in joint names with a child. If the child goes bankrupt, the trustee in bankruptcy may argue that the asset is really half owned by the child as opposed to the parent alone.

If a house is put into joint ownership with a child then there are tax issues because one can have only one principal residence. Taxes may have to be paid on the child's interest in the house from when it was put into joint ownership until it is sold. If property, such as a house, is put into joint names with all the children to save probate fees and the individual sells the house before they die, then there are a lot of

extra costs in getting every child to sign the Deed and acknowledge that they have no interest in the property.

Therefore, in conclusion , it is generally not a good idea to put any assets in joint names with one's children unless it is done properly and all the possible problems are looked at.

Named Beneficiary

One can name a beneficiary to one's life insurance, RRSP or RRIFs and in some cases for investments. This is always a good idea between spouses but not always such a good idea with one's child or children. Though the case of *Neufield v Neufield* said it may be debatable as to whether the estate or the child should be the beneficial owner, generally the beneficiary is the owner. Often the parent will name one child as the beneficiary of life insurance believing that the child will use that money to pay for the funeral expenses and perhaps distribute the balance among their siblings, however, they are under no obligation to do so. Again, care should be taken to determine as to when and if there should be a named beneficiary to life insurance and RRSPs. Another problem with RRSPs is that the tax is paid by the estate, though the money goes directly to the beneficiary without tax being withheld, so there could be an issue as to who is ultimately responsible to pay the tax on the RRSPs.

Gifts

Often one will give away assets to one's children during their lifetime. However, often after the donor dies, there is an argument whether a gift was actually made. The best way to ensure a substantial gift is made is to document the intention that a gift was made by the donor.

Marriage Contracts

A lawyer will review when doing one's Will what obligations one has to their dependant children and one's spouse to ensure that the Will satisfies those obligations. If those obligations are debatable or if one does not intend to live up to their obligations, then there should be a Marriage Contract in place to ensure that there is no claim against the estate when the person dies. For further information please see my article on Marriage Contracts.

Loans

Often a parent gives some or all their children money in advance of their death. It is often assumed it will be paid back when the parent dies, so that in the end all children share equally. If loans are made, it is very important that the Will state whether a loan has been given and how much will be subtracted from a child's legacy, otherwise there may be an argument whether it was a gift or a loan and there could be enforcement of the loan issues. It is also good to document how much the loan is and how much has been paid back.

Trusts

Though all estate plans will have a Will and a Continuing Power of Attorney, they may

or may not have a trust or trusts. Trusts are useful for a wide variety of estate planning purposes for tax and non-tax purposes. The most common non-tax purpose would be to hold assets for minor children until they reach age of majority or even later. The most common tax purpose would be to income split and reduce probate fees. Both the law of trusts and taxation trusts are very complex. I hope to explain the basic concepts in a future article.

Organizing Estate Information and Instructions

There are millions of dollars in the Bank of Canada for unclaimed bank accounts. There are millions of dollars worth of insurance policies that have never been claimed. The reason is that the executors did not find where all of the deceased's assets and insurance policies were located. Therefore, it is a good idea to have a system which is kept up to date which sets out precisely for the executor, the contents of estate.

Often if the deceased was not organized and did not keep such a list, the knowledge of an asset only comes to light months later when the annual premium or statement comes in, which might mean that the estate has to be reopened. Without a good system of keeping up to date where the assets are, there is also the worry that the executor never found all of the assets. Therefore, I suggest that there be some process to keep an up to date a list of one's assets for the executor.

Often without clear instructions from the deceased as to the mode of burial, there is an argument among the children as to the funeral and burial arrangements. Again, the best way to avoid this is to preplan one's funeral or at least there should be a clear process which sets out what one would like one's funeral and burial to be. Proper instructions should also be given if one wants to donate their organs on death. Please see my article entitled Preparing for an Easier Administration of an Estate.

Powers of Attorney

A person is allowed to appoint another to look after their financial and personal needs if they become incompetent during their lifetime. Financial matters are found in a Continuing Power of Attorney for Property and personal and health matters are dealt with in a Personal Care Power of Attorney. Though a directive about whether a person wants to be kept on a life support system if there is no reasonable prospect of regaining consciousness can be a separate document, that directive is usually found in the Personal Care Power of Attorney. Please see my article on Powers of Attorney for more detailed information about both types of Powers of Attorney.

CONCLUSION

I would suggest that everyone should have a Will and both types of Powers of Attorney. One should plan properly if they use joint ownership, a named beneficiary of a specific asset, gifts, loans and trusts. If they are in a second marriage, they should strongly consider a Marriage Contract, or a Cohabitation Agreement if it is a second relationship. And everyone, to reduce both the financial and emotional costs of administering an estate, should organize their information and instructions that are

needed on their death. They should investigate the need in their case for more sophisticated techniques such as multiple Wills , trusts, estate freezes, life insurance and charitable donations. They should also review their estate plan and update it on a regular basis as their factual situation changes and perhaps if the tax laws change.

LAWRENCE S. PASCOE

Change of Will and Power of Attorney Client Questionnaire

1. Name : _____

2. No change of Address, phone or email since did Will and Powers of Attorney with Lawrence Pascoe.

3. New Address: _____

New Phone #: _____

New email: _____

4. Date of original Will: _____

5. Which clauses in original Will need to be changed

6. What is the new change

7. Why are these changes being made:

Will and Power of Attorney Asset Information

(click here to be directed to the interactive form)

Bank Accounts (Please note Bank Name, Branch, Approximate Values and Account Ownership)

Stocks, Bonds, Investment Certificates (Please note ownership - whose name or joint and approximate values)

Insurance Company (Please note Beneficiary and approximate values)

Pension and Annuities, Registered Retirement Savings Plans, RIF's
Company, Payments from an Estate and approximate values

Real Estate (Please note address and ownership and approximate values)

Business Interests

Note: This form is designed for a single person or a couple who have the same assets. If the couple have different interests, please use a separate page to provide the information.

[Click here](#) to fill out our Will and Power of Attorney Asset Information on-line.

**LAWRENCE S. PASCOE
REVISED WILLS AND POWERS OF ATTORNEY FEE
SCHEDULE as of June 15 , 2008**

REVISED WILLS & POWERS OF ATTORNEY

To revise a Will originally drafted by Lawrence Pascoe, the fee is \$200.00 for first Will and \$125.00 for second revised Will of partner made at the same time, provided the change does not require a consultation at the office, but only by way of correspondence and the telephone.

If there is a very minor change to the Will, it may be accomplished by a Codicil (a legal document that only sets out changes in the Will). The client may consider

drafting the Codicil themselves following the precedents set out in Lawrence Pascoe's article "Changing Your Will".

If revising the Powers of Attorney at the same time, there is a discount applied to the cost of the Powers of Attorney. To revise the Will and Powers of Attorney for one person, the cost is \$300.00. To revise the Wills and Powers of Attorney for two people, the cost is \$450.00. If the revised Will is because of a marriage and there are no changes, then the cost will be \$200.00 for one person which includes new Powers of Attorney or \$300.00 for a couple.

The client will receive a new Will, Powers of Attorney and a new Manual containing all the up to date memoranda.

Resume of Lawrence Stephen Pascoe

▶ Email: [lpascoe at thepascoedifference.com](mailto:lpascoe@thepascoedifference.com)

▶ Birth Date and Place: October 22, 1949, Toronto, Ontario

▶ Education and Professional Qualifications:

- Bachelor of Commerce (Honours), [Dalhousie University](#)(1972)
- Bachelor of Laws, Dalhousie University (1975)
- Ontario Bar Admission Course (1977)
- Family Mediation Training Course (1990)
- Collaborative Lawyers Training Course (2001-2002)

▶ Specific Areas of Practice:

- *Family Law:* I advise clients of their rights and obligations when they separate or are thinking of separating from their spouse. The major issues being custody and access, dividing their assets and support for the spouse and children. I also advise my clients about the many processes that may be used to resolve the issue of a separation and I represent them in the process they choose which may include going to mediation meetings or representing them in an arbitration or court hearing.
- *Wills and Powers of Attorney:* I advise clients on Estate Planning which involves drafting Wills, Powers of Attorneys and Trusts and provide advice on;

how to ensure that on their death their assets go to the appropriate desired beneficiary; ensuring that the appropriate person or persons look after the estate; reducing problems and conflicts that may arise in administering the estate; minimizing the amount of payments the estate pays for taxes, costs and court (probate) fees; and inheritance.

- *Administration of Estates:* I advise the personal representative of an estate (executor) as to what is required to administer the estate and then, as directed by him or her, administer the estate, which might involve applying to the court for the Certificate of Appointment (probate), dealing with the assets, paying debts, and accounting to beneficiaries.

► Organization Affiliates:

- [Canadian Bar Association](#)
- American Bar Association
- [County of Carleton Law Association](#)
- Law Society of Upper Canada
- Member of Annual Family Law Institute Organizing Committee (1999 to present)
- Member of [Collaborative Law Network](#)

► Teaching Experience:

Course instructor,

- [Algonquin College](#), Legal Assistant Program (1978-1980)

Seminar leader,

- Ontario Bar Admission course Family Law (1986)
- Law Society Continuing Education Program on Pensions and Family Law (1988, 1994)
- Ontario Bar Admission Course Practice skills (Family Law), (1989, 1990); Negotiating Skills (1993, 1996)

Speaker,

- Ontario Bar Admission Course; dependent's relief claims in estates (1988 - 1990)
- Ontario Law Society Continuing Education Program dealing with estate litigation (Dependent's Relief Claims), 1987
- Ontario Law Society Continuing Education Program; marriage contracts (1987 - 1988)
- Canadian Bar Association Annual Institute Program; Pensions and Family Law (1989)
- Law Society Continuing Education Program for Legal Secretaries; preparing Financial statements

- Law Society Continuing Education Program for Family Law Lawyers; Employment Benefit Clauses (1990)
- [Canadian Society for the Advancement of Legal Technology](#) (1994, 1996)
- Family Law Motions: Practice and Strategy (1994)
- Institute of Family Law, The Life Insurance Clause in Separation Agreements (1996)
- Federation of Law Societies, The Life Insurance Clause in Separation Agreements (1998)
- County of Carleton Law Association and Law Society Continuing Education Program, Determining Income of the Self-Employed under the Child Support Guidelines (1999)
- Law Society Continuing Education Program, Basic Management Principles for Lawyers (May 2000)
- Law Society Technology for Lawyers conference, Some Thoughts on Producing and Marketing a Law Firm's Web Site (November 2003)
- Law Society and Ontario Bar Association's Annual Solo on Small Firm Conference and Expo - Lawyers Can Be Different - Providing Innovative Legal Services (2006)
- Law Society and Ontario Bar Association's Annual Solo on Small Firm Conference and Expo - Some Thoughts About Using Technology to Market Legal Services (2007)
- Institute of Family Law - Stress Management for Lawyers (2007)

► Public Speaking:

Ontario Provincial Employees Association, [Canada Post](#), Alta Vista Synagogue, Ukrainian Orthodox Church, Class for new Canadians, Laurentian High School, Ottawa Community Credit Union Ltd., [Children's Hospital of Eastern Ontario](#), London Life Insurance Agents, Ottawa/Skyline T.V. Cable Phone-in Law Program on Family Law, a Divorce Support Group, National Capital Retirement Education Association, National Council of Jewish Women Palliative Care Seminar, Ottawa Valley Adjusters Association, The [Ottawa Citizen](#) Retirement Education Programme, Retirement Education Program Carleton Separate School Board, Retirement Education Program, City of Nepean (now City of Ottawa), The Ottawa Civic Hospital Employees, University of Ottawa Law School, [Royal Ottawa Hospital](#), [Unicad Canada Ltd.](#), [Money Concepts](#), Canterbury High School, A.J.A 50 Plus, Edward Jones.

► Written Articles (please visit my [articles](#) page for an online list):

- Support (unpublished except on Web site)
- Custody and Access (unpublished except on Web site)
- Powers of Attorney (unpublished except on Web site)
- Changing your Will (unpublished except on Web site)
- Reasons for Having a Will (C.J. Journal South and Women's Credit Union Handbook)

- Professional Negligence and Responsibility Issues for lawyer's in dealing with Marriage Contracts (Ontario Law Society Continuing Education Program in 1987 published by Carswell Company in 1988 in a book entitled Marriage Contracts (1988)
- Administration of Estates (C.J. Journal South)
- Custody and Access to Children (C.J. Journal South)
- Family Mediation (O.A.F.M. Newsletter)
- Division of Assets (Clarion Newspaper, April, 1989)
- Wills and Minor Children (Clarion Newspaper, May, 1989)
- Separation and Divorce (Clarion Newspaper, Sept., 1989)
- Division of Pensions on Marriage Breakdown (Clarion Newspaper, Jan. 1990)
- Marriage Contracts (Clarion Newspaper, March, 1990)
- Employment Benefits (Law Society Continuing Education, April, 1990)
- Updating your Will (Clarion Newspaper, Summer, 1990)
- Lawyer Client Relationship (Clarion Newspaper, Autumn, 1990)
- Preparing For An Easier Administration of an Estate (Clarion Newspaper, Winter 1991)
- Divorce Mediation (Clarion Newspaper, April, 1991)
- Agreements of Purchase and Sale (Clarion Newspaper, August 1991)
- Lawyer's Role When Purchasing a Home (Clarion Newspaper, Sept., 1991)
- Lawyer's Role When Selling a Home (Clarion Newspaper, Oct., 1991)
- The Legal Process in Matrimonial Disputes - Part 1 (Clarion Newspaper, Nov., Dec. 1992, Jan. 1993)
- Using Technology to Improve Marketing of Legal Services (CSALT Annual Conference, April, 1994)
- Family Law Motions: Practice and Strategy (Law Society Continuing Education) (June, 1994)
- Marketing, Technology & The Sole Practitioner/Small Law Firm (CSALT Annual Conference, May 1996)
- The Life Insurance Clause in Separation Agreements (Family Law Annual Institute, May 1996)
- The Life Insurance Clause in Separation Agreements (National Family Law Conference, June 1998)
- Determining Income of the Self-Employed under the Child Support Guidelines (Law Society Continuing Education Program, 1999)
- Some Basic Management Principles for Lawyers, Law Society Continuing Education, May 2000
- Some Thoughts on Producing and Marketing a Law Firm's Web Site (Law Society Technology for Lawyers conference, November 2003)
- Lawyers Can be Different - Providing Innovative Legal Services (Law Society and Ontario Bar Association, April 2006)
- Some Quick Thoughts on Managing Information and Documentation in Family Law Files (CCLA Family Law Institute, June 2006)
- Some Thoughts About Using Technology to Market Legal Services (Law Society and Ontario Bar Association, 2007)
- Stress Management for Lawyers (Institute of Family Law 2007)

Survey Contest

Client feedback is necessary to improve the quality of legal services I provide to my clients. Client surveys are an effective method to obtain that response. These surveys tell me what the client thinks about the way I practice, and allow the client to make suggestions on how service can be improved. Generally, lawyers look at matters through their own eyes rather than from the client's perspective. The same is true for the methods of marketing of legal services. I would therefore appreciate it if you would take some time to fill out the questionnaires – one dealing with my packets and the other with choosing a lawyer. It will greatly help me provide better service and improve my marketing.

My experience is that people do not like filling out questionnaires. Therefore, I am offering a contest to obtain a good response. Annually on January 31st, I will award a prize of a pair of FREE Ottawa Senators tickets for the best comments on improvements of services, marketing or packets.

You may mail, fax, e-mail, or deliver to our office your completed survey questionnaire. All information and names of respondents will be kept confidential. You do not need to become a client to enter the contest.

I look forward to reading your comments.

LAWRENCE S. PASCOE

[Will and Powers of Attorney Packet Survey](#)

(click here to be directed to the interactive form)

Did you have a will at the time you requested the will packet?

Yes_____ No_____

Why did you request the packet (one or a combination of the following)?

____ (a) you were thinking about making a will for the first time

____ (b) you were thinking of making a new will

____ (c) you wanted general information about wills

- ____ (d) you wanted information about powers of attorneys
- ____ (e) you knew that you wanted a will, but were not sure which lawyer to choose
- ____ (f) you wanted to know Lawrence Pascoe's fee for making a will
- ____ (g) other _____

Did the packet fulfill your expectations?

Yes____ No____

If not, why not?

What did you think of the packet in general?

- (a) _____ excellent
- (b) _____ good
- (c) _____ fair
- (d) _____ poor

Did you read the articles? Yes____ No____

If not, why not?

- (a) Too complicated _____
- (b) Not interested _____
- (c) Other _____

Were the articles:
understandable _____, not understandable _____

Were the articles:
too short _____, too long _____, just right _____

Did you find the articles helpful?

Yes____ , No____

Were the graphics, layout and print of the articles acceptable?

Yes____ , No____

Does it matter that the articles are photocopies and not on higher quality and coloured paper?

Yes____ , No____

General comments about the articles - questions not addressed.

Did you find the memorandum on cost and procedure helpful?

Yes_____ No_____

If not why not? Do you have any comments on it?

Did you like receiving the resume?

Yes_____ No_____

Was there anything else you would have liked to see in the resume?

Did you have problems completing the Will Information Sheet?

Yes _____ No_____

Did you find the cost for preparing a will:
reasonable_____, too high_____, too low_____.

Comments

Do you intend on making an appointment to make a will?

Yes _____ No_____.

If not, why not?

(a) decided against doing a will _____

(b) cost is too high _____

(c) chose another lawyer_____. If so, why?_____

(d) other _____

If you are still considering making a will what is the delay?

(a) waiting to collect information _____

(b) can not make a decision as to

(i) beneficiaries____ (ii) executor _____ (iii) custodians_____

(c) other _____

How did you find out about the packet?

(a) Yellow Pages _____

(b) The Clarion _____

(c) The Kanata Courier_____

(d) Today's Seniors _____

(e) Friend _____

(f) Other _____

If you found out about the packet through an advertisement what did you think of the ad?

If you found out about the packet from an advertisement, how many times did you see the ad before you replied?

Once _____, Twice _____, More than twice _____

What do you think about the idea of the survey contest?

(a) good idea _____

(b) bad idea _____

(c) Comments

Do you have any other comments?

Name

Address

Home Phone Number

Work Phone Number

E Mail Address

Date

[Click here](#) to fill out our Will and Powers of Attorney Packet on-line.