



WILL AND POWERS OF ATTORNEY PACKET

Packet Index

- [Introduction](#)
- [Procedure](#)
- [Reasons for Making a Will](#)
- [Continuing Power of Attorney for Property](#)
- [Personal Care Power of Attorney](#)
- [Estate Planning for Average Canadian](#)
- [Will, Powers of Attorney Estate Definitions](#)
- [Will Questionnaire](#)
- [Continuing Power of Attorney for Property Questionnaire](#)
- [Personal Care Power of Attorney Questionnaire](#)
- [Will and Powers of Attorney Asset Information Form](#)
- [Service Principles](#)
- [Resumé Lawrence Pascoe](#)
- [Fees - Will & Powers of Attorney](#)
- [Will & Powers of Attorney Packet Survey](#)
- [Choosing a Lawyer Survey](#)

Introduction

The packet incorporates five articles I have written entitled [Reasons for Making a Will](#), [Continuing Power of Attorney for Property](#), [Personal Care Power of Attorney](#), [Estate Planning for the Average Canadian](#) and [Will, Powers of Attorney and Estate Definitions](#). These articles are not substitutes for legal advice but are for general information. It is advisable that you read these articles prior to your appointment with me. I would ask you to complete the [Will and Powers of Attorney Asset Information form](#) and [Will Questionnaire form](#) before your consultation. This form also serves as a record that may help your executor in administering your estate. Of course, all information regarding your assets is strictly confidential.

My Powers of Attorney reflect the current law. The Ontario Government has legislated law that allows for a Power of Attorney for Personal Care which may have a provision more commonly known as a Living Will. Enclosed are my [Continuing Power of Attorney for Property Questionnaire](#) and my [Personal Care Power of Attorney Questionnaire](#). You should complete them as best you can. I will finalize them at your consultation or over the telephone if you are just signing Powers of Attorney and not Wills.

The packet also contains my [Fee Schedule](#) and a [Procedure Memorandum](#) I am enclosing my [Resumé](#) and my [Service Principles](#) - The Pascoe Difference so that you have a better idea of who I am and my experience. I have been practising since 1977. I restrict my practice to the areas of law commonly used by the average person - Wills and Estates and Family Law. I try to be unique, innovative and client oriented. This packet is an illustration of all three of those qualities, as is my Will and Powers of Attorney Manual which has other articles, memos and checklists. The Will Manual is explained in greater detail in my Procedure Memorandum. I have hole punched this packet, as the articles should be placed in the Will and Power of Attorney Manual.

I encourage my clients to give me their opinions. I have therefore initiated a [Client Survey Contest](#), which is enclosed, to obtain more client feedback. Even if you do not become a client, I invite you to complete the [Will Packet Survey](#) and [Choosing a Lawyer Survey](#) and enter the contest. If I can be of further assistance please call me or my staff for an appointment.

My experience is that many people put off making Wills and Powers of Attorney. I believe that this is a mistake. Having updated Wills and Powers of Attorney will give you "peace of mind" knowing that your personal affairs are in order for you and your family's benefit.

LAWRENCE S. PASCOE

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Make an Appointment

Family Law: Jenny Mirsky 613-828-2120 ext 101
Wills & Estates: Kerry MacDonell 613-828-2120 ext 120

PROCEDURE

After completing the Questionnaires and Asset Information Form, please make an appointment with my office. To better prepare for the appointment please review my Initial Client Presentation for Wills and Powers of Attorney found on my web site. At your appointment, I will obtain your instructions to draft the Will and if requested, a Continuing Power of Attorney for Property and a Personal Care Power of Attorney. I will provide you with a To Do list if there is follow up work and set an appointment to sign which is usually two weeks from that initial appointment. I will provide you with my Will and Powers of Attorney Manual which among other things will contain my article entitled "[The Purposes and Plain Meanings of Clauses Contained in a Will](#)". I will then send you a copy of the drafted Will and Powers of Attorney for your review and approval. You would then contact me by phone or e mail to advise if there are any changes and confirm your appointment or if you have questions. Changes should not wait until the date of signing as the final papers will have all been prepared just prior to your appointment.

If you are just drafting Powers of Attorney, after completing the Powers of Attorney Questionnaires please telephone me. On the telephone I will answer any questions you may have and complete the Powers of Attorney Questionnaires. I will then send you drafts of the Powers of Attorney for your review at home. If the drafts are satisfactory, please call my office for an appointment to sign your Powers of Attorney.

Upon the signing of the Will at my office, I will discuss my Will and Powers of Attorney Manual. This Manual contains a copy of your Will, memorandum of what to do when death occurs, a memorandum regarding burial instructions, a memorandum regarding personal belongings, an asset list (to keep up to date where all of your assets are located), a memorandum of people to notify and a list of your personal advisors, and a number of articles I have written relating to Wills and Estate planning. They are "[Administration of Estates](#)", "[Changing Your Will](#)", "[Gifts and Inheritances to Children](#)" and "[Preparing for an Easier Administration of an Estate](#)". You might also want to insert the articles you received in your Packet. You may take the original Will with you, or at no extra cost I can store the Will in my fire proof safe. Of course, if I placed your Will in my office safe, it is available to you at any time, or your Executor upon your death.

You will be signing two copies of each of the Powers of Attorney. One you will keep and the other will be kept in my safe in case the original is lost. There is, however, only one original copy of the Will though I will have a true copy scanned on my computer. You will get a true copy in your manual and I will send you a scanned copy. If you wish, and I suggest you do, I would send a letter to your Executors advising them of the location of the Will and the existence and purpose of your manual, and advise where they can get a copy of my articles "[The Administration of Estates](#)" and "[Powers of Attorney](#)" as well as advising them of my Administration of Estates packet contained on my web site so they have a preliminary idea of their duties.

REASONS FOR MAKING A WILL

A will allows one to decide upon one's death "who" gets "what assets", "when", and "who" looks after the estate and any trusts. A will may also allow one to state his or her preference as to who should have custody of one's child, though it is not binding on the Court. One may also express his or her wish as to how he or she wishes to be buried, but this is not binding upon the executor.

Without a will, all of those decisions are governed by Ontario's Succession Law Reform Act. The main reason for having a will is therefore to allow one to make these decisions rather than letting the government's statute dictate them. Moreover, without a will there may also be administrative problems, extra expenses and possible lawsuits by dependents or spouses who did not inherit as much of the estate as they would have under the dependant relief provisions of the Succession Law Reform Act or on equalization of assets claimed under the Family Law Act.

Often what the Succession Law Reform Act dictates is not what you would have wanted or what is best for the estate and the beneficiaries (persons who inherit the estate). This article will explore briefly the main decisions that are expressed in a will, what decisions are made by the Succession Law Reform Act in the absence of a will, and why the latter decisions may not be the best in many circumstances.

BENEFICIARIES: The Succession Law Reform Act Part II states who gets what portion of the estate if there is no will. Contrary to popular belief, it does not all necessarily go to one's spouse. When there are children involved, the spouse receives the first \$200,000.00 and the remainder is divided among the spouse and the children in proportions that depend on the number of children. If one dies without a spouse and without children or grandchildren, the parents are the beneficiaries. In this latter instance, which might occur because of an accident involving the whole family, one's wishes should be expressed in a will as most often a person desires that other relatives, such as brothers and sisters become the beneficiaries as well as the parents.

SPECIFIC ASSETS: If one dies without a will, the assets are usually all sold and the beneficiaries obtain their share of the estate in cash. A will allows one to designate specific assets to certain people.

CHILDREN: It is in the case of child beneficiaries that a will is most necessary. Without a will naming a trustee to look after the children's money until they are a certain age, the Official Guardian's office in Toronto becomes the trustee. The Official Guardian as trustee must give the children their share outright at age eighteen. Some people do not feel that a child is sufficiently responsible at age 18 to manage a large amount of money (and with today's death benefits and insurance policies, it could be a large sum). By having a will, a parent can decide at what age the child can take control of his or her bequest such as at age 21, 23, 25 or even 30. Until that time, the trustee of a will still has flexibility to give the child capital from his bequest if he or she really needs it. The Official Guardian is a bureaucrat who does not have as much time to monitor personally the needs of the child and therefore there may be a time lag between requesting money and receiving it. Also, an appointed trustee may do better than the Official Guardian at investing the money. The Official Guardian will almost always turn all the assets into cash and invest them at the going interest rate. It may be that certain assets such as rental accommodations should be retained as the rate of return may be better.

ADMINISTRATION: A person by a will decides who administers the estate. The court, if there is no will, would appoint an "Estate Trustee", a person or persons who are usually the closest relatives to the person who died. The person or persons appointed may not be the people one would have chosen. In a will, one might have appointed the most responsible child or a friend but the court, if there is no will, might appoint another person. By his will, a person can and usually does give more powers to the estate trustee (formerly called the executor) than the law does to a court appointed trustee. This may be important if the assets need to be managed (such as rental property or a business) rather than sold.

CUSTODIANS: The Children's Law Reform Act now allows one to appoint by will the custodian of one's minor children. This appointment is only valid for ninety days from the date of death, but an appointment can be of great benefit as upon the death of a parent, for the initial ninety day period, there would be no argument as to who should look after the children, as the decision will have been made. It will reduce greatly the emotional stress among the relatives and children if they do not have to argue and discuss where the children should reside. The final decision as to the custodian which will be made by the court will be easier, and probably less contested if the will states the parent's preference.

BURIAL ARRANGEMENTS: One's wishes as to his or her mode of burial is often expressed in one's will, though legally the wishes are not binding on the executor. If one is eccentric and wants his or her ashes spread over the North Pole or wants a great party at his or her funeral, one should carefully choose an executor who will carry out these wishes.

ADMINISTRATION PROBLEMS: Even if the Succession Law Reform Act provides the same beneficiaries, age of distribution, estate trustee and the court appoints the custodian that one would have chosen, there may be extra administration costs when one dies without a will especially in smaller estates. In a small estate, banks and other institutions will give the executor money or assets in their possession upon obtaining a copy of the will. They will not make an executor go to the expense of probating the will (probate is a court application to prove the will). However, if there is no will, a bank or institution would most likely require that the person administering the estate apply to the court for a Certificate of Appointment of Estate Trustee which even in small estates is costly. A will takes effect on death and even before the will is probated by the court. The executor therefore can deal and manage the assets right away if that is necessary such as in order to run a small business. However, an administrator has no authority until the court appoints him. This time delay can cause problems if there are decisions that must be made immediately.

ESTATE PLANNING: The making of a will is the appropriate time to put one's financial affairs in order and explore all aspects of estate planning. An important element of that estate planning would be to ensure that probate fees are minimized. Through estate planning, one might discover that more life insurance is needed to properly take care of loved ones, keeping in mind that substantial taxes may be payable at the time of death which may erode the value of the estate's assets. If assets are not liquid, life insurance proceeds may also assist the family until the estate has been administered. It may also be the time one gives both a Continuing Power of Attorney for Property and a Personal Care Power of Attorney to one's spouse in case of illness or incompetence. The Family Law Act allows a spouse to sue an estate for an equalization of assets as though the couple separated. This possibility along with the possibility of dependent spouses or children pursuant to the Succession Law Reform Act suing the estate must be taken into account when drafting the will. Besides careful drafting of the will to deal with the problem, it might necessitate a marriage contract to obtain the objectives desired.

Everyone's situation is unique and may be more or less complicated than the examples given in this article. It is suggested that you seek a lawyer's advice to discuss your own personal situation.

WHAT IS A CONTINUING POWER OF ATTORNEY FOR PROPERTY?

A Continuing Power of Attorney for Property (referred to in this article as "CPAP") allows a person (the "grantor") to give to another person (the "attorney"), the power to do anything on the grantor's behalf with respect to the financial matters of the grantor, whether the grantor is incapacitated or not. The only exception is that the attorney cannot make a new Will. Though the term "attorney" implies a lawyer, a lawyer need not be the attorney. The granting of the CPAP does not prevent the grantor from continuing to act for himself or herself.

WHY HAVE A CPAP?

The main reason to have a CPAP is to ensure that upon the grantor's incapacity, the person the grantor appointed as the attorney, would act on behalf of the grantor, otherwise the Ontario Government will in effect become the attorney. A family member may be appointed to take over from the Government but that is after time and money on legal fees are spent and the family member appointed may not be the one the grantor would have chosen as his/her attorney.

WHO MAY MAKE A CPAP?

A person must be over eighteen years of age to grant a CPAP. The Substitute Decisions Act, (hereafter referred to as the "Act") states a person is capable of giving this power of attorney if a number of criteria are met. Those criteria are the person: (a) knows what kind of property he or she has and the approximate value of it; (b) is aware of obligations owed to dependants; (c) knows the attorney will be able to do anything on the person's behalf in respect of assets, except make a Will and be subject to exceptions in the power of attorney; (d) knows the attorney is required to account; (e) knows the power of attorney may be revoked by the grantor; (f) appreciates that unless the attorney manages the property prudently its value may decline; (g) appreciates the possibility that the attorney could misuse the authority given to him or her. The test of granting a power of attorney is therefore not related to the ability to manage one's financial affairs but in some regards a lesser test.

WHAT DECISIONS HAVE TO BE MADE IN MAKING A CPAP?

- a. **Choosing the Attorney:** The only legal requirement is that the attorney be over eighteen years of age. It should be someone the grantor trusts. More than one attorney may be appointed, in which case the grantor must decide whether the attorneys must act together or may act individually. One is also allowed to appoint alternate attorneys in case the attorney appointed is not alive or unable to act as the attorney.
- b. **Effective Date:** The CPAP allows one to state when the CPAP comes into effect. It is recommended (and the usual practice) that the CPAP comes into effect immediately on signing the PA. The other alternative under the Act is to state that the CPAP comes into effect when the grantor is incapable. The grantor may set out the test of capacity. If the grantor is worried that the attorney will use his or her powers before the incapacity of the grantor without the grantor's knowledge, in my opinion, there is not enough trust to appoint that attorney in the first place.
- c. **Compensation:** The CPAP may state if the attorney may take compensation for work performed and, if so, how much. The Government has a fee schedule for attorneys. In most cases a relative appointed to be the attorney will not take compensation, but if he or she is doing considerable work, then he or she should be compensated.
- d. **Gifts, Loans and Charitable Donations:** The Act allows for the attorney to make gifts and loans to friends and relatives and donations to charities. A gift or loan can only be made if there was intention shown by the grantor to make such a gift or loan prior to becoming incapacitated. It is therefore best to spell out in CPAP whether the grantor does or does not want gifts and loans to be made to friends and relatives and whether donations can be made to charities.
- e. **Restrictions and Conditions:** The CPAP may put any restrictions and conditions on the attorney's use of the CPAP. Such restrictions may relate to the type of investments the attorney can invest in or a request that certain assets be dealt with in specific ways.

WHAT ARE THE DUTIES OF THE ATTORNEY?

An attorney is to act honestly and diligently for the grantor's benefit. An attorney is to explain to the incapable person what the attorney does and is to encourage the incapable person's participation. There is also the important obligation to keep accounts of all financial transactions.

The attorney is obligated to make expenditures that are reasonable and necessary for the grantor's care and the care of the grantor's dependants and to others whom the grantor has a legal obligation.

WHAT FORM MUST THE CPAP BE IN?

There is no requirement that a specific form must be used, simply that the intention of the grantor must be clear. The CPAP must be in writing and signed in front of two witnesses. Certain people may not be a witness such as the attorney, the attorney's spouse or partner, the grantor's spouse or partner, a child of the grantor (which includes a non-blood related person who is treated as a child by the grantor), a person under eighteen years of age, nor anyone under personal or property guardianship.

There is no requirement that the CPAP be registered. There is no Government registry.

A lawyer does not need to draft the CPAP to make it valid, however, the lawyer generally is doing much more than drafting the CPAP. He or she would be providing advice as to how the CPAP operates.

WHEN IS A CPAP TERMINATED?

The CPAP is terminated when the grantor dies or when the grantor makes a new CPAP. The CPAP is terminated when the attorney dies, becomes incapacitated or resigns and there is no joint or alternate attorney.

FURTHER INFORMATION

The Ontario Government's web site at www.attorneygeneral.jus.gov.on.ca/ has powers of attorney kits and further information.

WHAT IS A POWER OF ATTORNEY FOR PERSONAL CARE?

A Power of Attorney for Personal Care (hereinafter referred to as PCPA), allows a person ("the grantor") to give to another person ("the attorney"), the power to make personal and medical decisions if the grantor is mentally incapacitated. The PCPA can allow the grantor to direct (like a living Will) that life support systems not be used if there is no reasonable prospect of recovery.

WHY HAVE A PCPA?

The PCPA allows one, in case of their incapacity, to appoint the person he or she wishes to make almost any decision of a personal nature that one would make if capable, such as decisions related to medical treatment, housing and food.

WHO MAY MAKE A PCPA?

A person must be sixteen years of age to grant a PCPA. A person is capable of granting a PCPA if that person has the ability to understand that the proposed attorney has a genuine concern for the person's welfare and appreciates that the proposed attorney may need to make decisions for him or her. The test is not that the grantor is capable of personal care.

WHAT DECISIONS HAVE TO BE MADE WHEN MAKING A PCPA?

- a. **Choosing the Attorney:** The only legal requirement is that the attorney be over eighteen years of age. It should be someone the grantor trusts. More than one attorney may be appointed. In that case the grantor must decide whether the attorneys must act together or may act individually. One is also allowed to appoint alternate attorneys in case the attorney appointed is not alive or unable to act as the attorney.
- b. **Living Will Clause:** Rather than having a separate document the PCPA may be used to express one's wishes concerning the use of life support systems when there is no reasonable expectation of recovery from a severe disability.
- c. **Instructions, Conditions and Restrictions:** The PCPA may have very detailed instructions as to one's personal care including specific directions as to medication and treatment.

WHEN WILL THE PCPA COME INTO EFFECT?

The PCPA is different from the Continuing Power of Attorney for Property in that it can only be used during the time that the grantor is mentally incapable of making his or her own personal care decisions. The attorney decides whether the grantor is mentally incapable. A grantor can state that the attorney is required to get independent evidence before acting, such as a letter from a doctor. An attorney only makes the decisions that the grantor cannot make. Therefore, not all personal care decisions are made by the attorney and some should be made by the grantor.

WHAT ARE THE DUTIES OF AN ATTORNEY OF A PCPA?

An attorney must act diligently and in good faith. An attorney is to explain to the incapable person what the attorney does and to encourage participation by the incapable person, as well as participation by family and friends. An attorney should foster contact with family and friends and to meet with them. The attorney should follow the wishes of the incapable person that were expressed while capable.

HOW IS THE ATTORNEY FOR THE PCPA COMPENSATED?

Unfortunately, there is no specific discussion in the Substitutes Decisions Act about compensating an attorney. The PCPA could set out compensation but it is not common to do so, though it can set out that the attorney is reimbursed for actual expenses.

WHAT FORM MUST THE PCPA BE IN?

There is not a requirement that a specific form be used, simply that the intention of the grantor must be clear. The PCPA must be in writing and signed in front of two witnesses. Certain people may not be witnesses such as the attorney, the attorney's spouse or partner, the grantor's spouse or partner, a child of the grantor (which includes a non-blood related person who is treated as a child by the grantor), a person under eighteen years of age, nor anyone under personal or property guardianship.

There is no requirement that the PCPA be registered. There is no Government registry. A lawyer does not need to draft the PCPA to make it valid, however, the lawyer generally is doing much more than drafting the PCPA. He or she would be providing advice as to how the PCPA operates.

WHEN IS A PCPA TERMINATED?

The PCPA is terminated when the grantor dies or when the grantor makes a new PCPA. The PCPA is terminated when the attorney dies, becomes incapacitated or resigns and there is no joint or alternate attorney.

FURTHER INFORMATION

The Ontario Government's web site at www.attorneygeneral.jus.gov.on.ca/ has powers of attorney kits and further information.

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:

1. one's assets on death go to the desired and appropriate beneficiaries
2. the appropriate person or person is appointed to look after one's estate
3. the estate is set up to be administered easily with as few conflicts as possible
4. the amount of payments that the estate has to pay for taxes, costs and fees are minimized; and
5. 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.

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WILL, POWERS OF ATTORNEY & ESTATE DEFINITIONS

Administrator: An administrator is a person appointed by the Court to administer the estate when there is no will, the will did not name an executor, an executor has died, or an executor is unwilling to act. A female administrator, is called the "administratrix". This person is now technically called the "Estate Trustee Without a Will" but the term administrator is still used.

Attorney: The person appointed to look after the donor's financial affairs in the case of a Continuing Power of Attorney for Property or the donor's medical affairs in the case of a Power of Attorney for Personal Care. An attorney does not have to be a lawyer.

Beneficiary: A person who receives a benefit or gift under a will, or a person for whose benefit a trust is created.

Certificate of Appointment of Estate Trustee with a Will: The Court document, which includes a certified copy of the will, whereby the Court confirms the executor named in the Will is entitled to administer the estate. This document was previously called "Letters Probate".

Certificate of Appointment of Estate Trustee without a Will: This Court document, confirms a person, formerly called an administrator, now called the estate trustee without a will, has the authority to administer the estate. This document was previously called Letters of Administration.

Children's Lawyer: The Ontario Government official responsible for looking after the interests of children under the age of 18 for all legal matters, but not generally the management of a child's money. That is done by the Public Guardian and Trustee.

Codicil: An amendment to a will which makes changes or additions. A codicil must be executed with the same formalities that a will is executed.

Continuing Power of Attorney for Property: A written document allowing a person (the donor) to name another person (the attorney) to make financial decisions on behalf of the donor, including if the donor is physically or mentally disabled.

Custodian: The person named in a will to look after one's minor children in case of death. This appointment is not binding upon the Court. The custodian used to be known as the guardian.

Donor: The person appointing an attorney in powers of attorney.

Estate Trustee: The person named in a will to represent the estate of the deceased person. Also known as executor.

Estate Trustee Without a Will: A Court appointed person to administer the estate of a person, where that person died without a will, the executor died, the executor is unable to act, or an executor was not named. The person is also known as an Administrator.

Executor: A person or trust company named in a will to be responsible for managing the winding up of the deceased's estate. Since January of 1995, this person is technically called the Estate Trustee though the term executor is still used in wills. A female executor is called an executrix and more than one female are called executrices.

Family Law Act: The Ontario Governments law that deals with rights of spouses during marriage, separation and upon death.

Intestate: A person who dies without a will. A partial intestacy is where a valid will does not dispose of the whole of the estate.

Issue: All persons who have descended from a common ancestor. It is a broader term than children which is limited to one generation.

Joint Tenants: A form of joint ownership in which the death of one joint owner results in the immediate transfer of ownership to the surviving joint owner or owners. See Tenancy in Common.

Letters of Administration: This is the old term for what is now called "Certificate of Appointment of Estate Trustee without a Will".

Letters Probate: This is the old term for what is now called "Certificate of Appointment of Estate Trustee with a Will".

Notarial Certificate: A certificate which a notary public signs and attaches to a copy of a document to certify that the copy is identical to the original. All lawyers are also notaries.

Notarial Copy: A copy of a document to which a notarial certificate is attached.

Official Guardian: This person is now called the "Children's Lawyer".

Per Stirpes: Division of an estate on the basis of representation of the same lineal stock, or the same family. The beneficiary takes a share to which his or her deceased parent would have been entitled. Therefore, if there are three children of a deceased person, with each child having two children (therefore six grandchildren), then if one child is not alive, each grandchild would get 1/6th of the estate, being $\frac{1}{2}$ of $\frac{1}{3}$.

Power of Attorney for Personal Care: A written document allowing a person (the donor) to appoint another person (the attorney) to look after the donors personal and medical matters if the donor is unable to.

Probate Of Will: Formal proof before the proper officer or court that the will offered is the last will of the testator and confirming the Executor(s) named. This is now called an Application for Certificate of Appointment of Estate Trustee with a Will.

Public Guardian and Trustee: The Ontario Government official who, in the absence of a named executor, administrator or attorney, is responsible for administering an estate, or the affairs of an incompetent person. This official also manages the money of children when no trustee was appointed.

Settlor: A person who establishes a trust.

Succession Law Reform Act: The Ontario Government Act which deals with many issues of estate law, including support of dependants, what happens when a person dies without a will and the rules governing the making of wills.

Survivorship Application: A document a surviving joint tenant registers in the land titles system to transfer the deceased's share of the property to his or her name only.

Tenancy in Common: A form of joint ownership in which the death of one owner does not result in the immediate transfer of ownership to the surviving owner but the deceased's interest becomes part of the deceased's estate.

Testator: A male person who makes a will.

Testatrix: A female person who makes a will.

Transmission Application: A document filed in the land titles office to have title transferred to the name of the personal representative of a deceased owner to enable the personal representative to deal with the property.

Trust: A legal arrangement in which one person (the settlor) transfers title to a person (trustee) to manage the property for the benefit of a person or institution (the beneficiaries). When the trust takes effect on death, it is called a "Testamentary Trust". When the trust takes effect during the settlor's lifetime, it is called a "Inter Vivos Trust".

Trustee: The person or trust company that manages property according to the instructions in the trust agreement and the laws governing trustees.

Will: A legal document, prepared by a person, called a testator or testatrix if female, in compliance with formal requirements, which takes effect on his/her death and which states what he/she wants to happen to his/her property on death. The will also decides who manages the property. The will may discuss custody of minor children and the funeral arrangements, though custody is not binding upon the Court and the funeral arrangements do not technically have to be followed by the executor.

Will Questionnaire

Continuing Power of Attorney for Property Questionnaire

Personal Care Power of Attorney Questionnaire

Will and Powers of Attorney Asset Information Form

Providing competent and economical legal services is extremely important to me, but in addition, I am committed to delivering products that are innovative and very client-oriented. This has resulted in aspects of my service, which my clients have appreciated, which are not found elsewhere.

Value added features are found at every stage of my services.

I start with my Web Site. The many articles on my website provides a lot of free general information, not just about the substantive law, but about the legal processes. My site has a lot of information about myself, how I operate, and what my fees are. It also explains what information a lawyer needs from his clients to advise them so not just to educate my client but to allow them to gather the information beforehand, therefore, saving some time (and therefore money) when they meet with me. My forms on my site are interactive to allow for a client to easily fill them out and even e-mail them to me before their consultation. I have slide presentations of the first consultations of each practice area so a client knows what will be discussed at their first consultation. There are also some follow up forms on my web site once the file has been closed which may be of interest to clients as well as links to other web sites of interest.

My Legal Packets serve many functions. They contain the specific articles that give an overview of the law in non lawyer's terms. These articles discuss the legal process and one's rights and obligations. The Packets contain the specific information forms to show what facts are required to process that type of file. Knowing something about the law and preparing the information needed beforehand reduces the time spent at the initial consultation and therefore reduces your costs. The Packets contain my detailed **resumé** of my years of experience since 1977 and a schedule of my fees. I believe your anxiety level will be reduced even before our first consultation with all this information about the law, the process, myself, the fees and the facts.

At the client's first appointment I introduce my Manuals. The Manuals serve two important functions. They contain more articles, checklists and work sheets, all with details needed to help you better understand the process. As there is so much to know and remember it is good to have that information in a written, comprehensive and organized form. The Manual is a convenient place to hold letters and the sometime voluminous documentation generated throughout the file. I ensure my clients get copies of everything — you are kept informed. Obtaining and storing this information in an organized fashion allows you to participate and to make better decisions. The Manual also serves as a good record of what occurred after the file is completed. This is also important for necessary follow up work.

In Will and Powers of Attorney files I send letters to the Executors and Attorneys with articles and information that they should know to assist them with their responsibilities.

As I have a sophisticated computer program to easily store, forever, unlimited data about my clients, I would like to have a life time relationship with my clients. I hope to do this by providing a number of free follow up services for clients and to try and keep in touch with my clients with interesting information though at this time I can only suggest to keep visiting my web site.

Follow Up Services

I would like to advise you that I provide my clients with a number of free services even after a file has been completed. They are as follows:

- I will provide free swearing of Affidavits or Statutory Declarations for my clients. This is often needed for insurance claims and when one receives a bequest under a Will. I just ask that the forms be completed and an appointment is made to sign with either me or my secretary.
- I will provide digital copies of any major documents such as Wills, Powers of Attorney, Court Orders, Agreements and Certificate of Appointments if misplaced.
- My website on my Client's Page has replacement forms for your Will and Powers of Attorney Manuals. They are found at [pdfs/willmanualforms.pdf](#)
- My web site has a sample **Consent to Travel** form which I will sign for free for your former spouse if you just call before hand and have the form all filled out.
- I will hold onto completed Will information forms in your digital file.
- I will hold onto your Will in my fire proof safe.
- I will recommend or help you find a lawyer in Ottawa for an area of law you may need but that I do not practice.
- I am available to provide legal services to your friends and relatives.
- My comprehensive web site has many articles on Family Law, Wills, Powers of Attorney and the Administration of Estates.
- If you have an appropriate website for your own business I could feature it and have a link to it from my Resource Page on my website.
- I will try and send follow up emails to remind clients of work they were to do after their file is closed.

I am continually striving to improve my services. That is why at all stages of my service I encourage opinions and have client surveys. I have **Client Survey Contests** with prizes to obtain that important feedback from clients and or even prospective clients. Many good ideas have come from clients that have resulted in improvements to my service - I listen to my clients.

Many law firms are beginning to advertise and to market their services aggressively even using professional advertising agencies. Some of their ads will promise a commitment to excellent client service at a reasonable price. What firm, what business, would not say that it provides good service at a fair cost ? I invite you to compare the actual features, and not the rhetoric, of other lawyers's services with mine. I believe that I have given you concrete examples of how I provide innovative and client-oriented legal services.

With my new program, when a client calls me after the file is closed, I can quickly obtain the major particulars of their file. I can probably answer questions faster and not have to wait to get the file from storage. I encourage clients to call me any time after the file is complete with brief questions - yes, even though I am not getting paid for this additional work. My magnetic business card, which should be on one's refrigerator, means my phone number is always close at hand.

Email: lpascoe@thepascoedifference.com

Birth Date: October 22, 1949

Birth Place: Toronto, Ontario

Education and Professional Qualifications:

- Bachelor of Laws, Dalhousie University (1975)
- Bachelor of Commerce (Honours), Dalhousie University(1972)
- 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. I will represent them at mediation, collaborative law, motions, arbitrations, case conferences, motions and settlement conferences but if the matter goes to trial, I will assist a matrimonial trial lawyer. I also advise and prepare clients with respect to marriage contracts and cohabitation agreements (often referred to as prenuptial agreements).
- *Wills and Powers of Attorney*: I advise with respect to and draft Wills and Powers of Attorneys 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; provide basic advice on minimizing the amount of payments the estate pays for taxes and advise how to properly reduce probate fees.
- *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
- Previous Member of Bench & Bar
- Previous Member of Annual Family Law Institute

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 at Legal Conferences

- 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, 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, Unacad Canada Ltd., Money Concepts, Canterbury High School, A.J.A 50 Plus, Edward Jones.

Written Articles

- 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) 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)

FEES - WILL AND POWERS OF ATTORNEY

Prices quoted are for relatively standard Wills which do not necessitate more than a 60 minute consultation for a couple, or a 40 minute consultation for a single person. A standard Will does not involve sophisticated drafting. If this is required, an extra charge based upon my hourly rate of \$325 will be charged. This very rarely occurs. There are extra charges for Multiple Wills and Testamentary trusts each being at the same cost as stated above for wills.

Legal Document	One Person	Two People (Partners)
Will Only	\$300.00 plus 13% HST for a total of \$339.00	\$450.00 plus 13% HST for a total of \$508.50
Continuing Power of Attorney for Property & Personal Care Power of Attorney (<i>Without a Will</i>)	\$250.00 plus 13% HST for a total of \$282.50	\$375.00 plus 13% HST for a total of \$423.75
Will, Continuing Power of Attorney for Property & Personal Care Power of Attorney (<i>Full Package</i>)	\$450.00 plus 13% HST for a total of \$508.50	\$675.00 plus 13% HST for a total of \$762.75
Matrimonial Client Discount for Will & Powers of Attorney (<i>within 6 months of closing the matrimonial file</i>)	\$375.00 plus 13% HST for a total of \$423.75	\$575.00 plus 13% HST for a total of \$649.75
Revised Will & Powers of Attorney	Please see Changing Your Will & Powers of Attorney Fee Schedule	



Fees as of January 1st, 2011

Disclaimer

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Make an Appointment

Family Law: Jenny Mirsky 613-828-2120 ext 101
Wills & Estates: Kerry MacDonell 613-828-2120 ext 120

The Bell Mews, Suite 300, 39 Robertson Road, Ottawa, ON K2H 8R2
 Office: 613-828-2120 Fax: 613-596-0881

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SURVEYS

Select the appropriate survey(s) from the links below. You may fill out any of the Adobe PDF forms online and submit the information electronically by clicking the 'submit by email' button at the end of the form. Make sure you save changes as you go along. You can also print a copy for your records. Alternatively, you may print the form out and fill it out by hand. All information is treated in confidence.

[Will Packet Survey](#)

[Choosing a Lawyer Survey](#)

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 relevant questionnaires above - 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 PLUS free parking and \$20 for refreshments for the best suggestion** for 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



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