



Estate Planning Guide for Catholics



The Catholic
Archdiocese
of Edmonton

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Name: _____

Date completed: _____

Date last reviewed: _____

My Life, My Faith, My Legacy

Prayer and reflection on our journey of faith is an important place to start in preparing estate plans. Jesus calls us to live our lives as the salt of the earth and the light of the world (Matthew 5:13-16.) How do we continue to share the Gospel message of love beyond our time here on earth? How can we express our thankfulness and gratitude for God's blessings through our planning?

Some questions for reflection are provided below. You are invited to use this space to share the story of your faith walk with our Lord for those who will receive this document after your passing.

- What is my family's (faith) story?
- Who were some of the people or organizations who helped me to become the person that I am today? In my growing-up years: parents, siblings, teachers, friends, school, parish, etc.
- In my adult years: spouse, children, grandchildren, friends, colleagues, etc.
- What were some of the times when I saw the hand of God in my life? How have I been blessed in life?
- What would I like to share with others about what it means to live life as a disciple of Christ?
- How would I like to be remembered?

It is important to remember that this section is meant as a means of sharing important moments and values in your life. It is NOT intended to take the place of a legal will. It is a way for you to prepare to write your will. Specific gifts and estate intentions should be included in your will and not in this section. A legal will is the document that will be used for the disbursement of your estate.

*The days of our life are seventy years,
or perhaps eighty, if we are strong;
even then their span is only toil and trouble;
they are soon gone, and we fly away...
So teach us to count our days
that we may gain a wise heart.*
Psalm 90:10-12

If we can assist you in completing this guide, contact Lisa Robichaud,
Stewardship & Fund Development Lead, at 780-469-1010 extension 2137 or Lisa.Robichaud@caedm.ca.

My Journey

[illegible]

The Estate Planning Guide

The Catholic Archdiocese of Edmonton is pleased to provide this guide to assist you in bringing together, in one place, an inventory of all the things God has entrusted to your care. The guide is meant to help you as a Catholic prepare to write a will and make other end of life arrangements. It is a way to reflect on how you wish to steward all that God has given to you and to consider how you would like to be remembered.

After you have completed the guide and have had your legal documents drawn up by a lawyer, you should discuss your wishes expressed through your estate plan with your family. This can help avoid confusion and unanswered questions after your death. Plan to leave a copy of this guide with a trusted advisor or family member, with your executor, and with your will. Your executor, who is charged with carrying out your last wishes, will find it invaluable since it will eliminate the need for costly and lengthy searches for important details concerning your estate and your wishes. The Estate Planning Guide should therefore be updated on a regular basis.

By planning, preparing, and signing your will, Enduring Power of Attorney, and Personal Directive, you will ensure:

- the orderly administration of assets and continuing support to dependants in the event of your incapacity and death
- medical treatment and personal care decisions by a substitute decision maker if you are unable to make such decisions
- the ultimate disposition of your assets in accordance with your personal wishes

*Remember that when you leave this earth,
you can take with you nothing that you have received
— only what you have given:
a full heart enriched by honest service,
love, sacrifice and courage.
St. Francis of Assisi*

Making a Will

A will is a legal document that sets out how you intend your estate to be handled after your death. Your will comes into effect only upon your death. During your lifetime you can change your will as often as you wish.

Many people postpone making a will until they are faced with an unexpected illness or are preparing for international travel. There are many reasons that a will should be made earlier and revised regularly as part of your personal and financial plans:

- By preparing a will, you can choose your beneficiaries based on their existing and potential financial needs, as well as their relationship to you.
- You can establish trusts and determine at what age your children or beneficiaries will receive their inheritance.
- Family heirlooms and items of sentimental value can be bequeathed to specific beneficiaries, avoiding conflict among family members.
- You can make charitable bequests to your Church, Catholic institutions and organizations, and other charities that are important to you.

If You Die in Alberta Without a Will

- Provincial laws designate who will receive your assets and the amount of the inheritance. This distribution of assets may not necessarily coincide with your wishes.
- Your jointly held assets may not pass immediately to the surviving owner.
- All your assets will pass to your surviving spouse, if any, and other heirs chosen on the closeness of the blood relationship to you.
- Children will inherit at age 18, which is often too young.
- No gifts will be made to friends, other family, your church or favourite charity, no matter how much they meant to you during your lifetime.
- A court-appointed administrator may have to post a bond - an additional cost to your estate.

Making a Will

In order to make a valid will, you must be of sufficiently “sound mind” to understand:

- The act of making a will;
- The extent of your property; and
- The identity of family and friends who should be considered as potential beneficiaries.

Mental competence may be impaired due to illness, advanced age, strong medication, or other factors. If competence is in question, a will should only be made by experienced lawyers who are aware of any such medical opinion, and who will take the time to assess the client’s mental capacity, and properly document their reasons for proceeding.

Choose an Executor

A will usually contains the appointment of one or more executors whose authority will be effective from the moment of death. If an executor is not appointed in your will, the court will appoint someone to administer your estate. It may be your spouse or closest next of kin, but it may be the Public Trustee. The selected person may not be the best candidate due to a lack of familiarity with your assets or a lack of financial expertise. The court usually appoints only one person as administrator of the estate. You may appoint more than one executor in your will, allowing you to choose family members and/or professionals and provide for alternate executors if those appointed cannot act.

Speak to the person you would like to ask to be your Executor and ask him/her if they are willing and able to serve. If they agree to serve as Executor ensure they know the location of your will.

Choose a Guardian

As a parent, you can appoint someone to have custody of, and be the guardian of, any child who is under the age of 18 at the date of your death. Naming an alternate guardian is important in case your first choice is unable or unwilling to serve at the time.

Discuss with your Guardian the importance of making sure your children are raised in the Catholic faith and receive all their sacraments.

Consult the Professionals

There is little published information on estate planning that is easily understood. As well, every individual case is different. Consult qualified professionals for advice: financial planner, accountant, lawyer and/or pastor.

Choose a Lawyer

Please remember that by working through this guide you are preparing yourself to write your will and make other end of life arrangements. While it is possible to create a hand written (holographic) will or use an off-the-shelf kit, it is **strongly recommended** that you select a lawyer to prepare your will. If you do not have a lawyer, the Archdiocese maintains a list of Catholic lawyers who have expertise in wills and estates (780-469-1010 or Lisa.Robichaud@caedm.ca).

Questions to ask your lawyer:

- How can you reduce your estate's income tax?
- Should you have a common disaster clause in case of an unexpected accident?
- If you have a business, do you need a succession plan?
- How can including the Church in your will reduce your estate taxes?

Other Obligations

An existing domestic contract (cohabitation, marriage or separation agreement), shareholders' agreement or partnership agreement may require the parties to make a will containing specific terms. Income tax plans may be incorporated into the dispositions contained in the will. However, the freedom to make a will leaving your property as you see fit is restricted by legislation protecting spouses and dependants who have legal rights to share in the estate.

Legacies to the Church and Other Charities

Have you considered that your will is your last communication to the world? It conveys to your family and others your plan to steward the financial treasures you accumulated in your life, and tells them about the values you held dear. A legacy to the Church expresses your gratitude to God for all He has shared with you in your lifetime. It also ensures that the Church will be there to serve the spiritual needs of your children, grandchildren, and future generations.

It is important that you include the correct legal name and charitable registration number for gifts made in your will.

1. The Catholic Parish of: _____ located at _____
2. Archdiocese Charitable Fund (10807 5904 RR0008)
3. Education Fund for Archdiocese of Edmonton Seminarians (10807 5904 RR0008)
4. Archdiocesan Youth Camps for the benefit of Our Lady of Victory Camp (10807 5904 RR0008)
5. St. Joseph Priests' Foundation of Edmonton (816734 826 RR0001)
6. Archdiocese Together We Serve Campaign (10807 5904 RR0008)

Other worthy Catholic agencies, organizations, institutions or religious congregations.

(Please contact each directly for the correct legal name and charitable registration number.)

An **unrestricted** bequest allows the Church or charity to use your gift where the need is greatest. Unrestricted bequests allow for the broadest possible flexibility and will never become "outdated."

A **restricted** bequest is given with a specific purpose in mind. It may be directed in support of a particular fund, ministry or project. However, keep in mind that needs change over time. If you choose to restrict your bequest, please ask your lawyer to include the following Right to Vary clause in your will:

If, in the sole and unrestricted opinion of [The Archbishop of Edmonton/ the Trustees of the charity], it should become impossible, inadvisable or impractical to apply this said fund for the said purposes, or, in the sole and unrestricted opinion of the [Archbishop/ Trustees], part of the said fund is not required for such purposes, the [Archbishop/ Trustees] shall use the said fund or such part thereof for such other purposes consonant with the spirit and intention of this gift.

We encourage you to share your intention to support your Church with your family and those close to you. Your legacy gift is a witness to them of the importance of faith in your life. Sharing this information will help them honour your wishes and your memory in the future.

If you wish, contact Lisa Robichaud, Stewardship & Fund Development Lead, to discuss leaving a bequest to the Church or to inform the Church of your future gift at 780-469-1010 extension 2137 or Lisa.Robichaud@caedm.ca.

Tax-Smart Giving

From a tax planning perspective, the income tax benefit associated with a bequest to a charity is used to offset taxes owed by the estate. The upper limit of the tax credit that can be claimed by an estate may be higher than that which applies to gifts made during one's lifetime, allowing you to take greater advantage of the savings generated by a larger gift.

Additional tax savings can come from using appreciated securities such as stocks, bonds, or mutual funds that are held by the estate to fund the bequest donation. Speak with your lawyer about including a clause that allows the estate executor to use discretion in paying charitable bequests in a tax-efficient manner. Some other examples of tax-smart giving include gifts using life insurance, an RRSP or RRIF beneficiary designation.

Careful planning together with an informed advisor can ensure your estate goals are met through the tax benefits available.

Masses in Your Will

Catholics often want to include a bequest in their will for masses to be celebrated for the repose of their soul or for family members. This custom is praiseworthy, but it can sometimes cause logistical problems for the parish. The amount allocated for masses cannot be used directly by the parish for any of its projects or needs. It must be transferred in the form of stipends, or offerings, to priests who actually offer the masses. Church law requires that the number of masses celebrated is equal to the bequest divided by the current suggested Mass stipend. In The Catholic Archdiocese of Edmonton this amount is currently \$10 per mass. If the bequest is for a significant amount, this can present a scheduling problem for a priest due to the number of regular mass requests that are typically received in a parish.

The following is recommended wording when masses are requested in a will:

"I GIVE and BEQUEATH to (name of parish) Roman Catholic Church, (city and province), the sum of (amount) dollars (\$) which said sum shall be used for celebrating masses for the repose of my soul (and spouse, etc.)."

It is very important to inform your lawyer that Canadian income tax law states that a bequest for masses is not considered a charitable gift. No charitable tax receipt can be issued for masses requested in your will.

Review Your Will Regularly

Once made, a will should be regularly reviewed and revised whenever circumstances have changed, including:

- Significant changes in your personal assets
- Death of your spouse
- Change in the status of dependants, such as a child turning 18 or an aging parent becoming a dependant
- Change in marital status
- Change in residency and/or location of assets, which may require that a will be made in international form or that multiple wills be made in different jurisdictions
- Change in one of the assets specifically gifted in the will
- Changes in income tax legislation that could have a major impact on the distribution of your assets

Have your lawyer review your will to ensure that your wishes are carried out regarding the distribution of your assets.

Getting Started

Before you begin, gather together the personal documents you will need. Use the detailed checklist below to keep track of the information you gather in order to complete this guide and properly plan your estate, funeral and burial.

Information and Documents You Will Need to Gather

- | | |
|---|---|
| <input type="checkbox"/> Social Insurance Number | <input type="checkbox"/> Other property: vehicles, boats, art antiques, expensive jewelry or collectables, etc. |
| <input type="checkbox"/> Bank account statements | <input type="checkbox"/> Do you own your own business? What is its value? |
| <input type="checkbox"/> Safety deposit box or storage facility | <input type="checkbox"/> Inheritances you are expecting |
| <input type="checkbox"/> Securities, investments, RRSPs and RRIFs | <input type="checkbox"/> Names and addresses of professional advisors |
| <input type="checkbox"/> Real estate ownership documents (principal residence and cottage or rental properties) | <input type="checkbox"/> Names and addresses of estate beneficiaries |
| | <input type="checkbox"/> Funeral and cemetery information |

Note location of these key documents:

- | | |
|---|---|
| <input type="checkbox"/> Birth certificate: _____ | <input type="checkbox"/> RRIF documents: _____ |
| <input type="checkbox"/> Passport: _____ | <input type="checkbox"/> RESP documents: _____ |
| <input type="checkbox"/> Citizenship papers: _____ | <input type="checkbox"/> TFSA documents: _____ |
| <input type="checkbox"/> Insurance policy contracts: _____ | <input type="checkbox"/> Income tax returns: _____ |
| <input type="checkbox"/> Pension plan documents: _____ | <input type="checkbox"/> Association memberships: _____ |
| <input type="checkbox"/> RRSP documents: _____ | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Last will: _____ | |
| <input type="checkbox"/> Date of last will: _____ | |
| <input type="checkbox"/> Lawyer who prepared last will: _____ | |
| <input type="checkbox"/> Lawyer's contact information: _____ | |
| <input type="checkbox"/> Power of Attorney: _____ | <input type="checkbox"/> Personal Directive: _____ |

Digital Memberships and Social Media

Consider creating a list of account usernames and passwords to be included with your will. Your executor and/or family members could face a lengthy and cumbersome process in deactivating or archiving your accounts without this information.

- List websites where you hold an account, and list your username and password.
- Email addresses
- How would you like your executor to handle your online and email accounts?
- Is there a message that you would like posted to your social media accounts (e.g. Facebook)?

Questionnaire

Personal Information

Surname: _____ Given names: _____

Any other names used: _____ Address: _____

City: _____ Province: _____ Postal code: _____

Personal phone number: _____ Email: _____

Date and place of birth: _____

Citizenship: _____ Social Insurance Number: _____

Registered parish name: _____ Parish address: _____

Father's name: _____ Father's place & date of birth: _____

Mother's name: _____ Mother's place & date of birth: _____

Marital status: ☐ Single (never married) ☐ Separated ☐ Married
☐ Widowed ☐ Divorced ☐ Other

Are you planning to move in the foreseeable future? ☐ Yes ☐ No

Do you live for part of the year outside Canada? ☐ Yes ☐ No

Please explain: _____

Occupation: _____ Employer: _____

Business telephone number: _____

Medical Information

Alberta Health Care number: _____

Physician's name: _____ Phone number: _____

Address: _____

Specialist's name: _____ Phone number: _____

Address: _____

Dentist's name: _____ Phone number: _____

Address: _____

Spousal Information

Complete if presently married or in some other significant long-term relationship.

Spouse's name (maiden name): _____ Spouse's date & place of birth: _____

Spouse's address (if different from yours): _____

Citizenship: _____ Social Insurance Number: _____

Date and place of marriage: _____

Occupation: _____ Employer: _____

Do you have a marriage contract, pre-nuptial agreement or domestic agreement? ☐ Yes ☐ No
(If yes, provide your lawyer with a copy.)

Complete if any previous marriage(s):

Spouse's name: _____ If widowed, date of spouse's death: _____

If annulled, place and date of annulment: _____

If divorced, place and date of divorce: _____

Was there a separation agreement and/or divorce decree? ☐ Yes ☐ No

Are there continuing financial obligations under the agreement? ☐ Yes ☐ No

(Provide your lawyer with a copy of the agreement and/or decree and keep a copy with your will).

Information about Children/Dependants

If there are more than four names, attach an additional sheet for more information.

Full name: _____

Address: _____

City: _____ Province: _____ Postal code: _____

Relationship to you: _____ Phone number: _____

Marital status: _____ Date of birth: _____

Number of children/ages: _____

Full name: _____

Address: _____

City: _____ Province: _____ Postal code: _____

Relationship to you: _____ Phone number: _____

Marital status: _____ Date of birth: _____

Number of children/ages: _____

Full name: _____

Address: _____

City: _____ Province: _____ Postal code: _____

Relationship to you: _____ Phone number: _____

Marital status: _____ Date of birth: _____

Number of children/ages: _____

Full name: _____

Address: _____

City: _____ Province: _____ Postal code: _____

Relationship to you: _____ Phone number: _____

Marital status: _____ Date of birth: _____

Number of children/ages: _____

If you have other personal information you wish to discuss in more detail with your lawyer (e.g. child with special needs, children in post-secondary schooling or grandchildren you are supporting), provide additional details below.



Information about Your Assets

Indicate if not applicable. Attach an additional sheet(s) for more information about assets if required.

Real Estate

1. Principal Residence

Address of principal residence: _____

Manner of ownership: _____
(alone, joint tenants with survivorship, tenants in common, partnership, through corporation)

Original cost: _____ Approximate current value: _____

Mortgage(s) with: _____ Approximate balance due: _____

2. Farm Property

Address of farm property: _____

Manner of ownership: _____
(alone, joint tenants with survivorship, tenants in common, partnership, through corporation)

Legal Description: _____

Located in the municipality of: _____

Original cost: _____ Approximate current value: _____

Mortgage(s) with: _____ Approximate balance due: _____

3. Recreational Property

Address of recreational property: _____

Manner of ownership: _____

(alone, joint tenants with survivorship, tenants in common, partnership, through corporation)

Original cost: _____ Approximate current value: _____

Mortgage(s) with: _____ Approximate balance due: _____

4. Rental, Investment, Business or Other Real Property

Address of rental property: _____

Manner of ownership: _____

(alone, joint tenants with survivorship, tenants in common, partnership, through corporation)

Original cost: _____ Approximate current value: _____

Mortgage(s) with: _____ Approximate balance due: _____

Business

Business name (in full): _____

Nature of business: _____

Manner and percentage of ownership: _____

(Corporation, Partnership, Sole Proprietor)

Approximate current value of your business interest: _____

Has Buy-Sell or other shareholders' agreement been entered into? ☐ Yes ☐ No

(If yes, provide your lawyer a copy.)

Vehicles

As most people buy and sell their vehicles regularly, you may leave disposition of vehicles to the discretion of your executor.

Personal and Household Items

Specify any items of personal property you wish to give to someone in your will. You do not need to make an exhaustive list of all your household goods and personal effects, just those of sentimental or monetary value for which you want a legally binding gift to be made.

Bank Accounts

1. Bank and branch: _____

Address: _____

Phone number: _____

Under my name or joint with: _____

Account number: _____ Current balance: _____

2. Bank and branch: _____

Address: _____

Phone number: _____

Under my name or joint with: _____

Account number: _____ Current balance: _____

3. Bank and branch: _____

Address: _____

Phone number: _____

Under my name or joint with: _____

Account number: _____ Current balance: _____

4. Foreign bank and branch: _____

Address: _____

Phone number: _____

Under my name or joint with: _____

Account number: _____ Current balance: _____

*He is rich enough
who is poor with Christ.*
St. Jerome

Safety Deposit Box

Institution and address: _____

Phone number: _____ Box number: _____

Key location: _____

Who else has access? _____

Name: _____ Address: _____

Phone number: _____ Email: _____

Trusts

Do you have interest in a trust? ☐ Yes ☐ No

If so, name the trust: _____

Trustee(s) of trust: _____

Address and phone numbers of trustee(s): _____

Email of trustee(s): _____

Beneficiary

Are you the beneficiary of an estate not settled? ☐ Yes ☐ No

If so, name the estate: _____

Executor(s) of the estate: _____

Address and phone number of the executors(s): _____

Email of the executor(s): _____

Insurance Policies - Life, Property, Critical Illness, Etc.

Name: _____

Company name and address: _____

Email: _____ Type of insurance: _____

Cash value: _____ Beneficiary: _____

Name: _____

Company name and address: _____

Email: _____ Type of insurance: _____

Cash value: _____ Beneficiary: _____

Name: _____

Company name and address: _____

Email: _____ Type of insurance: _____

Cash value: _____ Beneficiary: _____

Name: _____

Company name and address: _____

Email: _____ Type of insurance: _____

Cash value: _____ Beneficiary: _____

Other Assets and Investments

(Bonds, stocks, mutual funds, GICs, monies owed to you and secured by mortgage or otherwise, interest in any trust or estate; annuity contracts, shares in private corporations, partnership/unincorporated business, investment/brokerage accounts.)

Provide details:

Asset	Date Acquired	Original Cost	Current Value	Owner (self/spouse/joint)	Financial Institution /Company

Registered Pension Plans, Retirement Savings Plans, Retirement Income Funds and Annuities

Do you belong to a company pension plan? ☐ Yes ☐ No

Does your spouse? ☐ Yes ☐ No

Do you have a Registered Savings Plan, Income Fund or Annuity? ☐ Yes ☐ No

Do you have a Tax Free Savings Account? ☐ Yes ☐ No

Have you purchased an RESP for someone? ☐ Yes ☐ No

Provide details:

Company	Contract Number	Plan Owner	Name of Beneficiary	Current Value

If there are more assets, RRSPs, RRIAs, annuities or policies, attach an additional sheet of information.

Information about Your Liabilities

List bank loans and other significant debts other than mortgages listed in previous section. (Do not include normal household debts, e.g., credit card balances.)

You:

1. Creditor: _____ Amount: _____

2. Creditor: _____ Amount: _____

Spouse:

1. Creditor: _____ Amount: _____

2. Creditor: _____ Amount: _____

Summary

Total value of assets:

\$

Less total value of liabilities:

\$

Net value of your estate:

\$

Professional Advisors

The information below will greatly assist your Executor.

Lawyer: _____

Firm name and address: _____

Phone number: _____ Email: _____

Accountant: _____

Firm name and address: _____

Phone number: _____ Email: _____

Bank official(s): _____

Name of individual and bank: _____

Location of branch: _____

Phone number: _____ Email: _____

Life insurance advisor: _____

Firm name and address: _____

Phone number: _____ Email: _____

Investment advisor: _____

Firm name and address: _____

Phone number: _____ Email: _____

Other consultants/advisors: (list name, phone number and topic)

1. _____

2. _____

3. _____

Executor and Guardian

Proposed Executor:

Full name: _____

Address: _____

Phone number: _____ Relationship to you: _____

Proposed Alternate Executor:

Full name: _____

Address: _____

Phone number: _____ Relationship to you: _____

Proposed Guardian(s) of Children Under 18 Years Old

First choice for guardian:

Full name: _____

Address: _____

Phone number: _____ Relationship to you: _____

Alternate choice for guardian:

Full name: _____

Address: _____

Phone number: _____ Relationship to you: _____

Proposed trustee(s) if estate assets to be held in trust:

Names and addresses of trustees: _____

Date of trust(s): _____

Beneficiaries of trust: _____

Approximate value of trust(s): _____

Assets in the trust(s): _____

Name & address of lawyer who prepared trust agreement: _____

Division of Estate Among Beneficiaries

The division of your liquid assets may be arranged using one of the following options:

A specific dollar amount. (e.g. I wish to leave \$_____ to _____.)

A percentage of your estate. (e.g. I wish to leave _____% of my estate to _____.)

The residue of the estate - an amount from the remaining value of the estate after all specific bequests and expenses have been paid out. (e.g. I wish to leave _____% of the residue of my estate to _____.)

A. Disposition of personal effects, household goods, jewelry, cars, etc.

If my spouse survives		If my spouse does NOT survive	
Bequest to:	Item	Bequest to:	Item

B. Disposition of real estate (home, cottage, etc.)

If my spouse survives		If my spouse does NOT survive	
Person Bequest to:	Item/Amount or %	Person Bequest to:	Item/Amount or %

C. Legacies - cash or other liquid assets

If my spouse survives		If my spouse does NOT survive	
Bequest to:	Amount/%	Bequest to:	Amount/%

D. Special trusts (e.g., educational fund for child)

If my spouse survives		If my spouse does NOT survive	
Bequest to:	Amount/%	Bequest to:	Amount/%

Special Instructions: *please include any special instructions that need to accompany the bequests.*

- If no spouse or children, or if your immediate beneficiaries predecease you, please name the other beneficiaries.
- Age to receive bequest or trust

Executor's Checklist

This is a basic checklist of the duties that may need to be carried out by the Executor of an estate.

Your First Steps

- ☐ Locate the Will
- ☐ Request the Funeral Director's Statement of Death
- ☐ Apply for the Death Certificate

Funeral and Burial Arrangements

An executor is responsible for the proper care of the deceased; however, in most cases the family takes care of these arrangements.

- ☐ Make or carry out existing funeral and burial arrangements in consultation with family members.
- ☐ Contact the pastor at the parish where the deceased worshipped to inform him of the death.
- ☐ Ask for guidance about the procedures and rites pertaining to a Catholic funeral and burial.
- ☐ Inform the funeral home that the deceased is Catholic.
- ☐ Consider the parish or an archdiocesan charity for gifts in lieu of flowers.

Legal Requirements

- ☐ Find an estate lawyer for advice, if necessary.
- ☐ Apply to the court for letters probate, if necessary.
- ☐ Notify the beneficiaries of the death and send a copy of the will.
- ☐ Notify charities of bequests.

Assets

- ☐ Locate bank accounts, notify bank, and request balances as of date of death.
- ☐ Obtain all unpaid wages and other benefits from former employer.
- ☐ Open an estate account and transfer all bank balances to it.
- ☐ Locate documents for all real estate, stocks and bonds, GICs, RRSPs, etc.
- ☐ List contents of deceased's safety deposit box.
- ☐ Obtain appraisals of real estate, vehicles, jewelry, artwork, etc., if necessary.
- ☐ Store valuables, if necessary.
- ☐ Locate real estate titles and, if proper and necessary, sell.
- ☐ Apply for all life insurance payouts.
- ☐ Invest surplus money (with the proper investment advice).

Liabilities

- ☐ Notify creditors by placing an “Advertisement for Creditors” in the local newspaper.
- ☐ Get the closing balance of all loans and credit cards; pay them off, and then close the accounts.
- ☐ Settle funeral bills of the estate.
- ☐ Settle monies owed to all other valid creditors.

Administration

- ☐ Apply for Canada Pension Plan Death Benefits (if the deceased ever worked outside of Canada, foreign social security benefits may also be payable).
- ☐ Cancel Old Age Security, health coverage, driver’s license, newspaper and magazines subscriptions, cable, telephone, etc.
- ☐ Cancel all preauthorized payments.
- ☐ Deactivate or archive all online accounts.
- ☐ Request Canada Post to reroute mail.
- ☐ Close the deceased’s safety deposit box.
- ☐ If the deceased rented, terminate the lease.

Other Financial Steps

- ☐ File income tax return for year of death and any outstanding from former years. Contact accountant of deceased to assist with this.
- ☐ Pay income tax owed, if any.
- ☐ Get the tax clearance certificate from Canada Customs and Revenue Agency (CCRA).

Distribution

- ☐ Make sure all bills associated with the estate are paid.
- ☐ Establish any trusts as stipulated in the will.
- ☐ According to will, distribute all assets to the proper beneficiaries.
- ☐ Have beneficiaries sign and return a release form.

*If everyone would take only according to their needs
and would leave the surplus to the needy,
no one would be rich, no one poor, no one in misery.*
St. Basil

Enduring Power of Attorney

A mentally competent person may give an “enduring,” or continuing power of attorney for the management of property (and finances) to another person or persons. Such a power of attorney for the management of property states, simply, that the attorney may do anything (except make a will) in respect of property on behalf of the person giving power of attorney (the “donor”) that the donor could do himself or herself if capable. A power of attorney cannot be used to carry out any functions of an office, such as the duties for an executor or a director.

If you give a power of attorney for the management of property without restriction, it can be exercised either immediately or can spring into action if you become incapable. Such a document can be used for all types of transactions and property management, but these dealings should be to your benefit. The law authorizes the attorney to make gifts and loans on your behalf to your friends and relatives and charitable gifts subject to certain conditions. The attorney is entitled to be paid reasonable compensation for his or her work as your attorney.

A power of attorney may be given to one person or two or more, and can require multiple attorneys to act unanimously or not. A power of attorney may be general, as described above, or specific to certain property. Whether general or specific, it may contain restrictions such as an expiry date or a provision that the power may only be used in conjunction with a certificate from a doctor attesting to the donor’s incapacity to manage property.

Naming an attorney alternate is especially critical where spouses or friends appoint each other as attorney but travel together.

If You Have No Enduring Power of Attorney

- If you become a psychiatric patient and a psychiatrist certifies you incapable of managing your property, then the Public Trustee, a provincial government official, may step in to manage your property.
- If you become incapable but there is no certification by a psychiatrist, though you have lost the legal ability to give a power of attorney and to deal with your property, someone must have you assessed. If you are found to be incapable, they must apply to the court for appointment under the Adult Guardianship and Trusteeship Act. This is costly, slow, and less confidential than signing an Enduring Power of Attorney and Personal Directive.

Appointment of Power of Attorney

Have you granted power of attorney for management of property? ☐ Yes ☐ No

Date power granted: _____

Name of attorney(s): _____

Name of alternate attorney(s), if any: _____

If new Attorney for Property is required, indicate if spouse is to be the attorney: ☐ Yes ☐ No

Proposed attorney(s) if not spouse or if co-attorney with spouse:

Full name: _____

Full Address: _____

Proposed alternate attorney(s):

Full name: _____

Full Address: _____



Personal Directive

A Personal Directive allows you to appoint an agent to make decisions regarding life support, artificial feeding, other medical measures and all other personal care matters. This allows you to give general or detailed instructions about the types of personal care and medical treatment you would or would not like administered. It also allows you to appoint an agent who understands your wishes and will make these decisions from a Catholic perspective.

This is a separate document from the Enduring Power of Attorney for management of property. A different person can be chosen to deal with your personal care than you have chosen to deal with your finances.

Naming an agent alternate is especially critical where spouses or friends appoint each other as agent but travel together.

Some Suggested Wording to Include in a Personal Directive

"I wish to live in my home at and at my cottage/summer home/winter home for as long as possible. If I become too old or too ill or incapacitated or too much of a burden for my children, I wish to live at ('name of seniors' residence), etc.' I want God to decide whether I should live or die. Therefore, if I become terminally ill and unable to make decisions concerning my treatment, and have no reasonable expectation of recovery, then I request that no extraordinary treatments be used to prolong my life, but that my pain be alleviated if it becomes unbearable, even if this results in shortening my life. No treatment, however, should be used with the intention of shortening my life. As a Roman Catholic, I wish to have Mass and Holy Communion as often as possible. I want a priest called to give me the Sacrament of the Anointing of the Sick as soon and as often as I become seriously ill."

More Resources

A Catholic Perspective on Health Decisions and Care at End of Life (Catholic Health Alliance of Canada)
https://caedm.ca/wp-content/uploads/2022/04/2014-09-29_ACatholicPerspectiveOnEndOfLifeIssues.pdf

Alberta Human Services offers information, forms, and a registry for personal directives. Visit the website at <https://www.alberta.ca/personal-directive>

Centre for Public Legal Education Alberta offers information about making a will, power of attorney and personal directive, and about being an executor, attorney or agent. Free materials are available from their website at www.cplea.ca or from:

800-10050 112 St NW, Edmonton, AB T5K 2J1 | Phone: 780-451-8764 | Email: info@cplea.ca

Do you want your Agent to be same as Attorney? ☐ Yes ☐ No

If YES, skip the following.

Appointment of Agent for Personal Care

Have you made a Personal Directive appointing an agent to make personal care decisions if you cannot? ☐ Yes ☐ No

Date power granted: _____ Name of agent: _____

Name of alternate agent, if any: _____

If new Agent is required, indicate if spouse to be the Agent: ☐ Yes ☐ No

Proposed Agent if not spouse or if co-agent with spouse:

A. Full name: _____ Full Address: _____

Proposed alternate Agent:

A. Full name: _____ Full Address: _____

Sacrament of the Anointing of the Sick

Formerly known as Last Rites, the Sacrament of the Anointing of the Sick can be requested at any time of serious illness, impending surgery, or if elderly and frail. It is not strictly limited to danger of death. The sacrament may be repeated if an illness, etc. worsens.

Upon admission to a hospital, identify yourself as Catholic. If you do not disclose that you are a Catholic, no priest, deacon or Catholic lay minister will be informed to visit you.

Organ and Tissue Donations

In Alberta, adults can indicate their desire to be an organ and tissue donor by signing the back of their Alberta Health Care Card. Your signature itself does not guarantee a donation. It is important to inform your family and the Agent(s) listed in your Personal Directive of your desire to be an organ and/or tissue donor since the final decision to donate is left to your next of kin. The Catholic Church approves and promotes organ and tissue donation and transplantation.

The Gospel of Life is celebrated above all else in the daily living of life which should be filled with self giving for others. A particular praise-worthy example of such gestures is the donation of organs performed in an ethically acceptable manner, with the view to offering a chance of health and even life to the sick who sometimes have no other hope.

Pope John Paul II, Evangelium Vitae, 1995

More Resources

The Canadian Bioethics Institute Guide, Organ Donation: A Catholic Perspective
<https://www.ccbi-utoronto.ca/documents/ODB.pdf>

Alberta Organ and Tissue Donation Registry
<https://myhealth.alberta.ca/Pages/OTDRHome.aspx>



The Catholic
Archdiocese
of **Edmonton**

An electronic version of this guide is available at
<https://caedm.ca/get-involved/ways-to-give/legacy-giving/>

For more information, to obtain additional copies of this guide,
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