

An Act of Love: Preparing Your Wills

***Disclaimer:** I am not dispensing legal, financial or medical advice. This talk is only meant to be a helpful resource so I make no guarantees about the information and recommendations provided. Following any info or suggestions provided here is at your own risk and discretion. Please do your own research and due diligence based on your own situation and the legalities of your own state/province/country.*

Making preparations for your own Life & Death Care while you have your full faculties and no urgency is an act of quiet courage! It is an act of love to honor yourself and others because:

- a) You may have specific wishes around how your body and estate.
- b) You want to reduce the stress for yourself and your loved ones around these choices.

Here are the 3 areas of focus:

- 1) Health Care Plan: Choices around your health care (Living Will)
- 2) Finance Plan: Organizing your financial matters (Power of Attorney)
- 3) Legacy Plan: Choices around your care and estate after your death (Will)

TOPIC #1 HEALTH CARE

STEP 1: DISCUSS & WRITE DOWN YOUR HEALTH CARE WISHES

What are your physical, aesthetic, emotional and spiritual needs?

Would you want life support or life-prolonging medical interventions if you could no longer:

- Recognize and communicate meaningfully with people? Think or make decisions? Do certain things?

What kinds of residential care will you accept if it's not possible to be cared for at your home?

- Hospital, Hospice, Care Home?

• When would you want to start or stop life saving or life-prolonging medical treatments like:

CPR, Ventilator, Dialysis, Life-Saving Surgery, Blood Transfusion, Life-Saving Antibiotics, Tube Feeding?

STEP 2: APPOINT YOUR HEALTH CARE ADVOCATE IN YOUR LIVING WILL

Who do you want to make your health care decisions for you? This is often called a Living Will. There are 2 choices in BC, Canada.

A) In BC, you can create a legal document called a **Section 9 Representation Agreement** with a lawyer or notary public which allows you to name a representative to make decisions about your personal care and health care treatments based on your written wishes, including decisions about accepting or refusing life support and life-prolonging medical interventions. Those you appoint may live in another city, province, or country. It ends when you revoke it or when you die.

B) You can give your healthcare provider a contact list of people who qualify to be a **Temporary Substitute Decision Maker** (spouse, adult children, parents, sibling, grandparent, adult grandchildren, blood or adopted relatives, close friend, relatives by marriage)

TOPIC #2 FINANCIAL CARE

STEP 1: APPOINT PEOPLE TO BE YOUR POWER OF ATTORNEY(S)

An Enduring Power of Attorney (EPA) is a legal document done by a lawyer or notary public. It authorizes someone to manage your financial and legal affairs if you need assistance due to illness, injury or disability (and even when you are traveling). You must be mentally capable of understanding the EPA at the time of making it so it's important to create an EPA before a crisis happens. People usually appoint a spouse, family member or trusted friend. They do not have to live in your town but it makes it easier if they do. (Also choose a back-up or alternate EPA.) Pick people that you trust to fulfill their duties with integrity and capacity around your wishes. They must be able to keep clear records of financial activities they take on your behalf.

STEP 2. ORGANIZE YOUR FINANCIAL/LEGAL DETAILS AND MAKE IT ACCESSIBLE TO YOUR POWER OF ATTORNEY(S)

It really helps your EPA if you keep the following records and make it accessible to them:

- A current list of your properties, assets and liabilities, including an estimate of their value, if possible
- A contact list of all your banking institutions, bills, investments

TOPIC #3 YOUR WILL & TESTAMENT

STEP 1) CHOOSE AN EXECUTOR TO CARRY OUT YOUR INSTRUCTIONS UPON YOUR DEATH.

This must be legal adult whom you trust to fulfill their duties with integrity and clarity. Choose an alternate backup too.

STEP 2) CHOOSE WHAT HAPPENS TO YOUR ESTATE

This involves naming beneficiaries (individuals and/or charities) who will receive your assets after all debts are paid. You may want professional guidance if you have a business, are getting married, a large estate or many beneficiaries.

STEP 3) CHOOSE WHO WILL BE GUARDIANS IF YOU HAVE MINOR CHILDREN

This includes instructions for their care/education.

STEP 4) CHOOSE WHAT YOU'D LIKE TO DO WITH YOUR REMAINS

Decide what kind of burial, cremation or eco-friendly burial you'd like to have. Check out the mushroom suit ([Infinity Burial Suit](#)) or see if [Capsula Mundi's Tree pod burial](#) is available as a "green burial" option!

Pre-arrangements can be made with the funeral home of your choice. This simplifies things for your loved ones when the time comes and pre-paid plans are also available to lock in a good price if desired!

STEP 5) CHOOSE WHAT TYPE OF MEMORIAL OR CELEBRATION OF LIFE YOU'D PREFER

You may or may not have specific wishes but this is an opportunity to mention preferences (ideal atmosphere, location, music, activities, philosophy)

STEP 6: ORGANIZE FINANCIAL DETAILS FOR YOURSELF, YOUR EPA & YOUR EXECUTOR

Update them as needed and make them accessible to your EPA and Executor!

This will make their job SO much easier. Since it is likely a spouse, family member or close friend, you will relieve them of administrative headaches if you are organized.



FINANCIAL DETAILS INCLUDE:

Paperwork & Certificates related to your life journey:

Birth, Marriage, Citizenship, Immigration, Divorce, Military Records, Insurance Policies, Passports, Children's info, Parent's info

Paperwork related to Your Health & Death: Advanced Care Plan, Medical info, Funeral Plan

Paperwork related to your Assets and location of Assets:

Stocks, Bonds, Term Deposits Mutual Funds, Bank Accounts, RRSPs, Pensions, Real Estate, Safety Deposit Boxes, Precious Metals or Gems, Jewelry, Antiques, Art, Equipment/Gear, Vehicles, Household Furnishings, Other Personal Items of Financial or Emotional Value

Paperwork related your Business Dealings: Contracts, Financial Records, Income Tax Returns

Paperwork related to your Liabilities & Debts: Credit Cards, Loans, Income Taxes, Personal Debts

Contact Info for All Your Professional Advisors, Family & Close Friends:

RA, EPA, Lawyer, Notary Public, Accountant, Health Professionals, Banks, Financial Planner, Insurance Agents, Funeral Home, Clergy, Family, Close Friends

BONUS ACT OF LOVE

Consider doing regular decluttering - from basic spring cleaning to Marie Kondo's infamous KonMari Method or the practice of Swedish Death Cleaning! No matter what you call it, it is about slowly and regularly "purging" your stuff so that you don't leave a giant mess for anyone to deal with.

Taking care of these things are acts of great compassion and forethought!

You are insuring that your wishes are known and easy to honor.

You are removing the burden of these choices and administrative tasks when there is a crisis or when loved ones are grieving.

You are reducing possible family conflicts (that could arise if you haven't declared your wishes clearly).

RECOMMENDED READING:

Many thanks to my friend Matthias for gathering some of these links (applicable to BC Residents). Please do your own research to see which laws and procedures govern your state/province and country.

Living Wills (Representation Agreements):

1. <http://www.health.gov.bc.ca/library/publications/year/2013/MyVoice-AdvanceCarePlanningGuide.pdf>
2. <https://www2.gov.bc.ca/assets/gov/people/seniors/health-safety/pdf/faqadvancecareplanning.pdf>
3. http://www.nidus.ca/PDFs/Nidus_Form_RA9.pdf

Power of Attorney:

1. http://www.bclaws.ca/civix/document/id/complete/statreg/96370_01
2. <http://www.notaries.bc.ca/resources/showContent.rails?resourceId=1963>
3. http://www.nidus.ca/PDFs/Nidus_FactSheet_EPA.pdf

Will & Last Testament:

1. <https://www2.gov.bc.ca/gov/content/family-social-supports/seniors/financial-legal-matters/wills-and-estate-planning>
2. <http://www.trustee.bc.ca/Documents/EPTS/Do%20You%20Have%20a%20Will.pdf>
3. <https://www.legalwills.ca/blog/ten-myths-canadian-last-will-and-testament/>