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## Background Questionnaire for Simple\* Wills

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*(One questionnaire per couple, or as a single individual)*

*Please complete as much of this form as possible before we meet because it will provide us with essential information and help us to identify the items we should discuss with you. You are also welcome to call us ahead of our meeting if you have any questions.*

*The questionnaire is divided into three parts, but not all questions will apply to your situation:*

- (1) You and your family*
- (2) Financial Information*
- (3) Bodily Remains*

*Kindly also include any additional information concerning you, your family, assets, and obligations you feel may be necessary or helpful. We rely on the information you give us and do not typically verify it. For example, unless expressly requested to do so, we do not typically check the names of the registered owners of assets.*

*This questionnaire assumes that only British Columbia law and the federal laws of Canada apply to you, your family, and your assets. If this is not the case, you will need to consult a lawyer in the other jurisdiction(s) about your estate planning.*

*\*Please note that Notaries are constrained to drafting Simple Wills, the defining feature of which is that it not contain a trust that extends beyond the age of majority, being 19 years of age in BC. Although a Simple Will is suitable for most people, if receipt of a bequest is meant to be staged or delayed into adulthood (beyond 19), or would be subject to conditions, a lawyer will be required. Also, given the authority to draft Trusts of various kinds, there may also be particular Tax and Family Law considerations best addressed in a Will drafted by a lawyer.*



**PART 1—YOU AND YOUR FAMILY**

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**1. INFORMATION ABOUT YOU**

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Name (in full):

Other names you are or have been known by:

Preferred salutation: Mr. / Mrs. / Ms. / Dr. / Other:

Preferred pronoun: He / She / They / Other:

Address

Occupation

Business address

Date of birth:

Place of birth:

Relationship status (including plans to marry):

single  engaged  married  separated with/without written agreement

divorced  widowed  cohabiting – how long:

Citizenship:  Canadian /  U.S. /  Other:

Tel. no. [cell]:

Tel. no. [work]:

Cell phone no.:

E-mail address:

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**2. INFORMATION ABOUT YOUR SPOUSE/PARTNER:**

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Full name of spouse/partner:

Other names your spouse/partner is or has been known by:

Preferred salutation: Mr. / Mrs. / Ms. / Dr. / Other:

Preferred pronoun: He / She / They / Other:

Occupation

Date of birth:

Place of birth:

Your relationship is:  a common-law marriage  a legal marriage

Citizenship:  Canadian /  U.S. /  Other:

Tel. no. [cell]:

Tel. no. [work]:

E-mail address:

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**3. YOUR MARRIAGE**

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Date of marriage:

Place of marriage:

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Country and province/state of residence when you married or began to live in a marriage-like relationship?

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Have you signed a marriage or prenuptial agreement?

[ ]yes [ ]no

If we do not have a copy, please provide us with one so that we may determine your estate's obligations (if any) under it.

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Have you ever separated and/or signed a separation agreement?

[ ]yes [ ]no

If we do not have a copy, please provide us with one so that we may determine your estate's obligations (if any) under it.

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Have any family law proceedings taken place or been commenced?

[ ]yes [ ]no

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**4. OTHER PERSONAL RELATIONS**

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If you are not married, but cohabiting with someone, he or she may have a claim for maintenance or an interest in wealth acquired during your relationship.

Have you signed a cohabitation agreement?

[ ]yes [ ]no

If we do not have a copy, please provide us with one so that we may confirm that your Will is not in conflict with your estate's obligations (if any) under it.

Have you recently ceased cohabiting with someone with whom you cohabited for two years or more?

[ ]yes [ ]no

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**5. YOUR CHILDREN**

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The word "child" includes a child of your marriage, a child born outside of this marriage, and an adopted child. Please provide the following information for each of your children and your spouse or partner's children.

Full name	Birthdate	Gender	Is the child yours? Your spouse/partner's? Or both?	Reside with you?

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Please mark with a (\*) if the child has a disability or with a (\*\*) if the child is deceased.

Are you now serving as the legal guardian for a person under age 19 (other than your own child(ren))?

[ ]yes [ ]no

Have you or your spouse stored any reproductive material (or plan to do so)?

[ ]yes [ ]no

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**6. YOUR NEXT OF KIN**

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In addition to any spouse or child identified above, please list those who are your closest relatives: parents, siblings, nieces/nephews, etc. Please identify those closest by relationship and also indicate (\*) those with whom you have the closest personal connection.

Full name	Age	City of Residence	Relationship to you

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**7. GUARDIANSHIP**

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Whom do you want to appoint in your place if you die before your child(ren) reach 19?

	Person 1 (+spouse? Y / N )	Person 2 (+spouse? Y / N )
Full name		
Address		
Occupation		
Relationship to you		

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**8. ADDITIONAL INFORMATION**

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Is there someone dependent on you for financial support for whom you wish to provide, such as an elderly parent? [ ]yes [ ]no

(A sketch of your family tree may be helpful.)

**PART 2—FINANCIAL INFORMATION**

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**ASSETS**

Please describe the assets you have and provide the requested information. If you have additional assets, please attach a separate listing.

Assets held in joint names may have different legal results on the death of one of the joint holders under Canadian law or as joint tenants. Assets held in more than one name can be held as:

- (1) tenants in common: each person owns a proportionate interest of the asset and when a person dies their interest forms part of their own estate;
- (2) true joint tenancy: each person owns an equal interest; when one person dies the surviving owner(s) automatically own(s) the entire asset;
- (3) joint tenancy for convenience only: the asset is jointly owned for convenience only but is used for the benefit of only one of the owners and will form part of the estate of that owner when that owner dies; or
- (4) joint tenancy but survivorship only: one of the owners owns the entire beneficial interest during their lifetime and on that owner's death the other (surviving) owner gets the entire asset.

Please indicate what your intention was at the time each asset was put in **joint names\***, both for during your lifetime and on your death.

Under the U.S. Revenue Code, joint title by U.S. citizens or permanent residents with non-U.S. citizens or joint ownership of U.S. property by any non-U.S. citizens may have unexpected tax or reporting consequences. If you have joint property subject to this rule, or the rules of any other country, please bring this to our attention as we may not be able to draft your Will.

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**1. REAL ESTATE**

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**Residence**

Street address: \_\_\_\_\_

In whose name(s)? \_\_\_\_\_

If both, as tenants in common or joint tenants? (Intention on your death? # \_\_\_\_\_)

Estimated value: \$ \_\_\_\_\_ Estimated mortgage balance: \$ \_\_\_\_\_

Is mortgage life-insured? [ ]yes [ ]no

**Recreational real estate**

Street address: \_\_\_\_\_

In whose name(s)? \_\_\_\_\_

If both, as tenants in common or joint tenants? (Intention on your death? # \_\_\_\_\_)

Estimated value: \$ \_\_\_\_\_ Estimated mortgage balance: \$ \_\_\_\_\_

Is mortgage life-insured? [ ]yes [ ]no

**Investment real estate**

Street address: \_\_\_\_\_

In whose name(s)? \_\_\_\_\_

If both, as tenants in common or joint tenants? (Intention on your death? # \_\_\_\_\_)

Estimated value: \$ \_\_\_\_\_ Estimated mortgage balance: \$ \_\_\_\_\_

Is mortgage life-insured? [ ]yes [ ]no

Please describe any other interest in real estate:

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**2. BUSINESS INTERESTS**

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*Interest in a proprietorship (unincorporated business)*

	<i>In your name</i>	<i>Spouse's name</i>	<i>In joint names</i>
<i>Description</i>			

*Interest in a partnership*

	<i>In your name</i>	<i>Spouse's name</i>	<i>In joint names</i>
<i>Description</i>			

*Interest in private company(ies)*

	<i>In your name</i>	<i>Spouse's name</i>	<i>In joint names</i>
<i>Description</i>			

Is there a shareholders' agreement or a buy-sell agreement, or any other restriction on sale?

[ ]yes [ ]no

Is there life insurance to buy out your interest on your death?

[ ]yes [ ]no

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**3. FINANCIAL AND PERSONAL ASSETS**

<i>Bank accounts</i>	<i>In your name</i>	<i>Spouse's name</i>	<i>In both names</i>

<i>Securities/Cryptocurrencies</i>	<i>In your name</i>	<i>Spouse's name</i>	<i>In both names</i>

<i>Significant Assets/Collectibles</i>	<i>In your name</i>	<i>Spouse's name</i>	<i>In both names</i>

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<i>Life insurance</i>	<i>On your life</i>	<i>On spouse's life</i>	<i>On joint lives</i>

*All Beneficiary Designations current?* [ ]yes [ ]no

<i>Pension plans</i>	<i>In your name</i>	<i>Spouse's name</i>	<i>In joint names</i>

*All Beneficiary Designations current?* [ ]yes [ ]no

<i>RRSP/RRIFs</i>	<i>In your name</i>	<i>Spouse's name</i>	<i>In joint names</i>

*All Beneficiary Designations current?* [ ]yes [ ]no

<i>RESP's</i>	<i>For you</i>	<i>Someone else</i>	<i>In joint names</i>

*All Beneficiary Designations current?* [ ]yes [ ]no

<i>TFSAs</i>	<i>In your name</i>	<i>Spouse's name</i>	<i>In joint names</i>

*All Beneficiary Designations current?* [ ]yes [ ]no

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Do you have animals (pets or livestock)? [ ]yes [ ]no  
If yes, describe:

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Do you have interests in any existing estates or trusts? [ ]yes [ ]no  
If yes, describe:

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Are you holding any assets in trust for anyone else? [ ]yes [ ]no  
If yes, describe:

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Are any of your assets located outside British Columbia? [ ]yes [ ]no  
If yes, describe:

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**3. ESTIMATED NET VALUE OF ESTATE (VERY GENERAL)**

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Alone: \$\_\_\_\_\_ Combined with Spouse: \$\_\_\_\_\_

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**PART 3—BODILY REMAINS**

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**1. MEMORIAL**

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Do you wish to be [ ]buried? [ ]cremated? [ ]Other?\_\_\_\_\_

Do you have any specific wishes for your funeral or memorial service, and if you are to be cremated, your ashes? [ ]yes [ ]no

If yes, please describe below and inform your family of your wishes and request that they honour them.

Have any pre-paid arrangements been made? [ ]yes [ ]no  
If yes, with whom?

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**2 ORGAN DONOR**

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Have you registered as an organ donor? (See [www.transplant.bc.ca](http://www.transplant.bc.ca)) [ ]yes [ ]no

Please inform your family of your wishes in this regard and request that they honour them.