

# The Butler Bulletin

Butler Wills and Estates

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## *What is a Reading of the Will?*

And as an executor, should you have one?

A Reading of the Will is exactly what it sounds like – getting together to read the will of someone who has passed away. Most of us have only seen this done in movies, usually in a very dramatic scene filled with grieving loved ones, lace handkerchiefs, and an imposing lawyer resolutely seated behind a large desk. In these scenarios everything is very intense and there are usually outcries of indignation from someone. Sometimes the Reading even leads the beneficiaries on a treasure hunt to find their inheritance.

But does this happen in real life? Absolutely not. A Reading of the Will does consist of a meeting between the lawyer for the estate, the executor, family members of the person who has passed away, and anyone else who is named as a beneficiary. However, these meetings are not nearly as dramatic as the movies would lead us to believe. A Reading of the Will is an effective way to communicate the contents of the will to everyone involved. By having all parties present at once, everyone gets to hear the same information at the

same time so nobody is left out to hear it secondhand. Another plus is you get to ask the lawyer questions. Often people have questions about everything from legal terms to what the will is actually saying.

So should you consider holding a Reading of the Will? We think so. Whether or not to hold a Reading is up to the executor of the estate. If you're an executor thinking about how to share all the information in the will with the people who need to hear it, a Reading is a very cost effective and efficient solution.

### Did you know...?

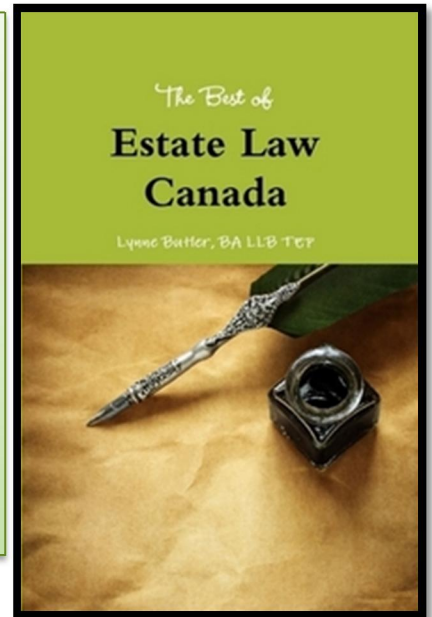
The cost for a Reading of the Will is paid for by the estate, not by any individual involved. Also, a Reading is completely voluntary for everyone invited.

### *The Best of Estate Law Canada*

Lynne's latest book is a collection of the 80 most-viewed posts on her blog, [www.estatelawcanada.blogspot.ca](http://www.estatelawcanada.blogspot.ca). Some of the posts have been read by more than 200 000 viewers!

The categories include taxation, beneficiaries' rights, tips for executors, and more. Also included are updates to the information, and more details about many of the posts.

Visit <http://www.lulu.com> to order. 216 pp



### *I Need Some Help ... But I Want to do it Myself*

Frequently we hear from people who need some advice about how to start working on a legal issue. There are definitely things that you can do yourself, such as preparing an executor's accounting or creating an estate inventory.

In order to assist people who have a few questions but don't need a full appointment with a lawyer, we created Guides and Get Started Kits. The Guides contain information that you would need to get to work on various topics, and the Get Started Kits contain the information as well as forms you will need and instructions for completing them.

Currently Available:

Guide: The Duties and Responsibilities of an Executor

Get Started Kit: Mediation

Get Started Kit: Estate Planning

Get Started Kit: Record-Keeping for Executors and Estate Administrators

*Books, kits, and guides can now be purchased on our website, [www.butlerwillsandestates.com](http://www.butlerwillsandestates.com).*

*Visit the "Shop" tab to see the items available, along with a description and prices, and to place your order.*

## Interested in Learning More?

If you have questions about any of the services, kits/guides, or books we offer and would like to know more about the service, cost, or just gather more info, we would be happy to send you a free brochure about that topic.

Email or call us with your mailing information and we will send one out to you.

Do you have questions about more than one topic? Let us know which ones and we'll send brochures for all of them.

## Criminology Corner



According to the Department of Justice, elder abuse can be not only abuse in the way people usually think of it, but also financial. In financial situations, this is when someone takes advantage of a senior in regards to their money, most commonly through joint bank accounts.

Frequently people will add one (or more) of their children's names to their bank account because they need assistance with the banking. Sometimes it is because getting around isn't as easy as it used to be, or because the person is starting to lose their mental capacity. Adding a child's name to the account doesn't just mean they have access to the account, it means they are *joint owners*.

How is this elder abuse? If the person helps with the banking as was intended, it's not. But if the person empties out the accounts and keeps the money for themselves, it is. This happens more often than anybody wants to admit, so consider the alternatives.

## Executor Boot Camp

This two-hour seminar is designed to answer all of your questions about being an executor. Topics covered include whether or not you need to get probate, how to stay out of trouble (including personal liability), where to start, and common error executors make.

Along with a copy of the materials presented in the seminar, the fee includes:

- A list of the executor's duties and responsibilities
- A sample ledger for setting up and maintaining your records
- Instructions for setting up and using the ledger
- Instructions on how to minimize complaints and enquiries from beneficiaries

Sessions will be held on the following days at 6:00 PM:

Thursday January 7

Thursday January 14

Thursday January 21

Thursday January 28

As this seminar is presented with an interactive workshop component, space is limited to six people per session. Email or call to register now to save your seat!

### Alternatives to Joint Ownership

A Power of Attorney is a great alternative to giving someone joint ownership of an account. With a Power of Attorney, the person can access the account but they don't own the account. The usual way to prepare these is by seeing a lawyer. They can also be prepared by completing a bank form to give the person access to one account instead of everything. This way they can help with the banking, but not have control over your house, vehicle, or investments.

**\$100.00 OFF**



To celebrate the first Annual Wills Week, we are offering \$100.00 off our regular wills package!

This package includes:

- ✓ Will
- ✓ Enduring Power of Attorney
- ✓ Advance Healthcare Directive

The regular price for the package is \$450.00\* for an individual, and \$550.00\* for a couple.

All appointments must be booked no later than December 11, 2015 and must take place no later than December 18, 2015.

\*plus taxes

### What is Wills Week?

When Lynne was practicing law in Edmonton, once a year a charitable organization would spread awareness about why people need to get their wills done. Lynne presented various seminars during Wills Week in Alberta, and to start it off in St. John's we are offering savings on our wills package.

Call us to book your appointment!

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*Please feel free to share this newsletter with others.*

*If you have any questions, comments, or would like to suggest a topic please email us at:*

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