

ESTATE PLANNING GUIDE

**Prepared For:
John & Jane Doe**

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Prepared on:

How to use this guide.

This guide was developed to assist you in organizing your affairs when deciding how to arrange your estate to reduce taxes and probate as well as in distributing your assets to your heirs. You should be able to complete the first section on your own including “*Personal Details*”, “*Family Information*”, “*Documentation*” and “*Present Inventory of Your Estate*”. You may wish to consult a financial advisor or tax expert when calculating “*Payment of Debts, Taxes, Probate and Expenses*” and “*After Tax Value of Your Estate*” depending on your special circumstances. The “*Decisions Record*” is not a Will. These are the decisions that you want to make regarding the Will and/or Trust Agreement and you should consult a lawyer to have the proper documents completed and have the consequences of each decision properly explained to you.

Most of the document should be self-explanatory, as some helpful hints have been added in the shaded areas to explain and assist in completion of the section. Since the purpose of the guide is to help you organize your thoughts many sections have insufficient space to allow you to provide a complete list, for these areas you should attach a separate sheet and summarize the list on the appropriate line.

You may wish to have a complete net worth statement completed with a financial advisor including a comprehensive list of assets, as this would be helpful in completing this guide and organizing your estate. The list of assets would also be helpful to the executor when distributing the residue of the estate.

If you consult a Financial Advisor, Tax Expert and a Lawyer these professionals will be able to add value to the preparation of your final Estate Plan, Trust Agreement and Will.

This guide should be reviewed annually and as changing circumstances require.

You can obtain extra copies from:
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ESTATE, TRUST AND WILL PLANNING GUIDE

Date Completed: _____

SECTION 1

PERSONAL DETAILS

Estate of _____ Address _____ _____ _____ Phone Res. _____ Date of Birth _____ Employer _____ Occupation _____	Spouse _____ Address _____ _____ _____ Phone Res. _____ Date of Birth _____ Employer _____ Occupation _____
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Marital Status:	Single	Married	Widowed	Separated
	Divorced			
If not married are you preparing your Will in contemplation of marriage?				Y N
Name of Spouse to be:				

FAMILY INFORMATION

Enter full legal names of all children/grandchildren/nephews/nieces etc. Circle 'H/W' if children are both husband's and wife's, 'H' if only husband's, 'W' if only wife's, 'A' if adopted and 'O' if other than noted relationships. Attach a separate page if necessary to include the names of additional potential beneficiaries such as grandchildren, nieces and nephews included as 'O' other.

Children's Names	Son/Daughter	Relationship	D.O.B. MM/DD/YY
		H/W H W A O	
		H/W H W A O	
		H/W H W A O	
		H/W H W A O	

Adult Children

First Child			
Name		Address	
Relationship		City/Prov.	
Date of Birth		P.C.	
Spouse		Phone	
Second Child			
Name		Address	
Relationship		City/Prov.	
Date of Birth		P.C.	
Spouse		Phone	

Make note of any other personal information you wish to discuss in more detail such as the handling of a handicapped child.

Previous Marriage

Name of Former Spouse				
Mailing Address				
Phone Res.				
Phone Bus.				
Separation agreement	Y	N	Decree Nisi	
			Y	N
Any Continuing Financial Obligations?	Y N			

DOCUMENTATION

Location codes: SD - Safe Deposit Box, HF -Home in Fireproof Cabinet, HD - Home in Desk, HS - Home in Safe, LA - Lawyer’s Office, BR - Broker’s Office, O - Other please give details. Important documents should be kept in a safe place at all times.

Document	Location	Document	Location
Wills		DPSP Agreement	
Trust Documents		Birth Certificates	
Mortgage		Marriage License/Contract	
Loan Papers		Divorce/Separation Agreement	
Property Deeds		Notes Payable	
Term Deposit Certificates		Notes Receivable	
Savings Passbook		Employment Contracts	
Insurance Policies		Income Tax Returns	
RRSP Statements		Financial Plans	
Pension Plan Statements		Safety Deposit Keys	
Other		Other	

Persons to be Notified

Name		Address	
Relationship		City/Prov	
Date of Birth		P.C.	
Spouse		Phone	
Name		Address	
Relationship		City/Prov.	
Date of Birth		P.C.	
Spouse		Phone	
Name		Address	
Relationship		City/Prov.	
Date of Birth		P.C.	
Spouse		Phone	

LISTED PERSONAL PROPERTY

Listed Personal Property is property that you have the use of but may increase in value such as paintings, sculptures and other works of art as well as jewelry, rare books, stamps and coins etc...

To determine the value of these items you may have to have them appraised. You must report any gain from disposing of listed personal property but you should keep track of losses because they can be used to offset gains in either the current year or brought forward up to seven years and applied against other LPP gains.

These items are usually of either a higher monetary or sentimental value and therefore you would likely wish to keep an accurate record for your executor.

Description of Property	Adjusted Cost Base	Current Value	Gain or Loss
Total Net Gain on L.P.P.			

For purposes of calculating the net capital gain on LPP the Adjusted Cost Base is calculated according to rules set out by CCRA, please consult a financial professional when calculating.

REAL ESTATE

List only real estate that is personally owned by you but which may be for personal use or for investment purposes including your principle residence and any other property such as vacation property etc...

To determine the value of these items you may have to have them appraised. You must report any gain from disposing of any real estate except property that you may elect to be your "principle" residence. Although there is no tax payable on the sale of a principle residence your estate will be assessed probate unless the property transfers to a joint owner.

Description of Property	Cost	Current Value	Gain or Loss
Principle Residence			
Totals			

INVESTMENTS

List only those investments that are personally owned by you and not any which are held in a holding company or trust.

List investments by institution and show only the total for each type of investment held by that institution such as mutual funds, GIC's etc... held at the Royal Bank. You should include any notes receivable from individuals and shares of publicly traded corporations but not any investment in a non-publicly traded business either wholly owned or partially owned by you.

Include totals only on this table and attach a statement from the Institution showing details of the accounts.

Name of Institution	Advisor / Contact	Account Number	Current Value
Totals			

RETIREMENT PLANS

List any retirement plan that you have established including RRSP's/RRIF's or spousal RRSP's/RRIF's as well as annuities, vested pension plans and deferred profit sharing plans.

If there is no named beneficiary or if the named beneficiary should predecease you the proceeds there from will become payable to your estate and will be subject to creditor seizure and probate, therefore you may wish to name a contingent beneficiary.

Include totals only on this table and attach a statement from the Institution showing details of the accounts.

Name of Institution	Advisor / Contact	Account Number	Current Value
Totals			

LIFE INSURANCE POLICIES

You should list all policies and include the current cash value and death benefit. Attach a copy of the insurance policy or a recent statement from the insurer.

If there is no named beneficiary or if the named beneficiary should predecease you the proceeds there from will become payable to your estate and be subject to creditor seizure and probate, therefore you may wish to name a contingent beneficiary.

Name of Insurer	Beneficiary	Cash Value	Death Benefit
Totals			

BUSINESS INTERESTS

List any interest in Canadian Controlled Private Corporations, your share of a partnership, businesses that you are sole proprietor and holding companies that hold interest in such business interests.

Business Name	Cost	Current Value	Gain or Loss
Totals			

Do not complete beyond this point prior to interview appointment

SECTION 2

PAYMENT OF DEBTS, TAXES, PROBATE AND EXPENSES

DEBTS

Debt	Debtor	Insured Y/N	Approx. Amount
Total Debts Owning			

You should estimate the potential income tax liability on assets owned at death that would be payable. Non-Depreciable Capital Assets left to a spouse or a spousal trust does not need to be included, however they will be included in the spouses tax liability. The final return must be filed by the later of; April 30 of the year following the year of death and six months following the date of death. The personal representative of the deceased taxpayer may elect to file up to three tax returns on behalf of the deceased: Return # 1 Including income and expenses to the date of death, Return # 2 A return for rights or things, Return #3 A return for income from testamentary trust

TAXES

Asset	Adjusted Cost Base	Current Market Value	Gain/Loss
Personal-Use Property			
Listed Personal Property			
Real Estate (excluding principle residence)			
Investments			
Business Interests			
Total Asset Value – Gain/Loss			

You should consult a tax expert before proceeding in order to determine the tax liability on various assets owned by you.

Tax Calculation		
Sum of Accrued Gains less Applicable Losses		
Capital Gains Tax calculated on 50% of Total	50%	
Final Return Income (estimated)		
Retirement Plans not Transferred via Beneficiary		
Estimated Marginal Tax Rate		
Potential Tax Liability on Assets Owned at Death		

PROBATE FEES (ONTARIO)

Probate fees are based on the value of the assets that are distributed through the will. If one asset requires letters probate then the fee will be calculated based on the total value of assets transferred through the estate.

Personal-Use Property	
Listed Personal Property	
Real Estate	
Investments	
Retirement Plans (with no named beneficiary)	
Life Insurance Policies (with no named beneficiary)	
Business Interests	
Total Value of Estate for Probate	
Probate (1 st \$50,000 @ \$5.00 per \$1,000)	
Probate (Remainder of Estate @ \$15.00 per \$1,000)	
Total Potential Probate on Estate	

EXPENSES

Since most people do not intend to die soon, there may not be enough liquid assets or insurance available to take care of the cash required by your survivors to pay all final expenses. A review of your insurance needs may reveal this before its too late.

Funeral	
Current Bills	
Administrative	
Emergency	
Last Tax Return	
Other	
Total Final Expenses	

AFTER TAX VALUE OF ESTATE

It would be useful to have completed a net worth statement for this calculation; however, the information contained in this guide could serve if properly supported with documentation.

Total Asset Value	
Life Insurance Death Benefits	
Less:	
Total Debts Owning	
Potential Tax Liability on Assets Owned at Death	
Potential Probate on Estate	
Total Final Expenses	
Other	
After Tax Value of Your Estate	

SECTION 3

DECISIONS RECORD

EXECUTOR / TRUSTEE

Your choice of executor should be someone who you trust and have complete confidence in having the ability to perform the task. You should inform them of the decision to use them as the executor and give them a list of contacts as well as the location of important papers.

First Choice			
Name		Address	
Relationship		City/Prov.	
		P.C.	
		Phone	
Second Choice			
Name		Address	
Relationship		City/Prov.	
		P.C.	
		Phone	

GUARDIANS

Guardianship responsibilities basically involve having charge of minor children, and providing for their care, maintenance and education in accordance with available funds. Most circumstances, when guardians are named, warrant establishing a Trust, including the payment of monies by the Trustee to the guardian for the benefit of the children.

First Choice			
Name		Address	
Relationship		City/Prov.	
		P.C.	
		Phone	
Second Choice			
Name		Address	
Relationship		City/Prov.	
		P.C.	
		Phone	

POWER OF ATTORNEY

A Power of Attorney is a document that grants a named individual the right to manage your affairs on your behalf while you are alive if you are unable. In Ontario information kits can be obtained by calling your MPP or at the Office of the Public Trustee by calling (416) 314-2800.

First Choice			
Name		Address	
Relationship		City/Prov.	
		P.C.	
		Phone	
Second Choice			
Name		Address	
Relationship		City/Prov.	
		P.C.	
		Phone	

DISTRIBUTION OF THE RESIDUE OF ESTATE

Because property is subject to change with the passing of time, it is neither necessary nor wise to specifically list all your property. However, if it is your wish to bequeath a specific property or sum of money to a particular person or organization, then both the property and/or sum of money and the person/organization to receive it should be specified.

Distribution at Death of One Spouse

Percent of Estate	Bequeathed to

Distribution at Death of Surviving Spouse - Minor Children

Percent of Estate	Bequeathed to

Distribution at Death of Surviving Spouse - Adult Children

Percent of Estate	Bequeathed to

TESTAMENTARY TRUST

It is generally desirable to choose a trustee in whom you have confidence and give them broad powers over investments and income distribution rather than choosing someone who you do not have confidence and attempt to restrict them.

What is the purpose of the trust? (Maintenance/Education/Other)

What encroachment power do you want your trustee to have? (Income/Capital)

What investments would you permit your trustee to hold in the trust?

SECTION 4

LIST OF CONTACTS

Lawyer			
Name		Address	
Firm		City/Prov.	
		P.C.	
		Phone	
Bank Contact			
Name		Address	
Firm		City/Prov.	
		P.C.	
		Phone	
Accountant			
Name		Address	
Firm		City/Prov.	
		P.C.	
		Phone	
Insurance Agent			
Name		Address	
Firm		City/Prov.	
		P.C.	
		Phone	
Investment Advisor			
Name		Address	
Firm		City/Prov.	
		P.C.	
		Phone	
Clergy/Spiritual			
Name		Address	
Firm		City/Prov.	
		P.C.	
		Phone	
Other			
Name		Address	
Firm		City/Prov.	
		P.C.	
		Phone	
Other			
Name		Address	
Firm		City/Prov.	
		P.C.	
		Phone	
Other			
Name		Address	
Firm		City/Prov.	
		P.C.	
		Phone	

Section 5

ACTION PLAN

FAMILY INFORMATION

Enter the changes you wish to make regarding the relationship of any children present in your life. For example you may wish to adopt the children of your new spouse or from an agency

Children's Names	Relationship Changed to:	Date Completed
Separation Agreement		
Decree Nisi		
Continuing Financial Obligations Insured		

DOCUMENTATION

Document	Location	Date Completed
Wills/Trust Agreements		
Mortgage		
Loans		
Property Deeds		
Investment Certificates		
Term Deposit Certificates		
Insurance Policies		
RRSP Documents (Statements)		
Pension Plan Statements		
DPSP Agreements		
Birth Certificates		
Marriage License (Contracts)		
Divorce/Separation Agreements		
Notes Payable		
Notes Receivable		
Employment Contracts		
Income Tax Returns		
Financial Plans		

