

# Death & incapacity folder checklist

To assist you in preparing a binder that will have the material information your executor and attorney (meaning the person named as your attorney under a Power of Attorney) will need.

Name your list and binder whatever you like—make it memorable and easy to spot for your executor and attorney.

Where something does not apply, write N/A or cross it out. This will help your attorney and executor know that they do not need to investigate that topic/item.

## KEY PERSONAL DETAILS

Legal Name: \_\_\_\_\_

Prior Name(s) (i.e. maiden name & name changes): \_\_\_\_\_

Name(s) Used Ordinarily: \_\_\_\_\_

Social Insurance Number (& if applicable SSN): \_\_\_\_\_

Place of Birth: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

DATE UPDATED	PART 1: KEY CONTACTS
	<p><b>EXECUTOR(S)</b> <b>Primary Executor -</b> Name: _____ Address: _____ Phone Number: _____ Email: _____</p>
	<p><b>Alternate Executor -</b> Name: _____ Address: _____ Phone Number: _____ Email: _____</p>
	<p><b>Second Alternate Executor -</b> Name: _____ Address: _____ Phone Number: _____ Email: _____</p>
	<p><b>GUARDIAN(S)</b> <b>Primary Guardian(s) -</b> Name: _____ Address: _____ Phone Number: _____ Email: _____</p>
	<p><b>Alternate Guardian(s) -</b> Name: _____ Address: _____ Phone Number: _____ Email: _____</p>

DATE UPDATED	PART 1: KEY CONTACTS
	<p><b>LAWYER</b></p> <p>Name: _____</p> <p>Firm: _____</p> <p>Phone Number: _____</p> <p>Email: _____</p>
	<p><b>ACCOUNTANT</b></p> <p>Name: _____</p> <p>Company: _____</p> <p>Phone Number: _____</p> <p>Email: _____</p>
	<p><b>FINANCIAL PLANNER / INVESTMENT ADVISOR</b></p> <p>Name: _____</p> <p>Company: _____</p> <p>Phone Number: _____</p> <p>Email: _____</p>
	<p><b>LIFE INSURANCE ADVISER</b></p> <p>Name: _____</p> <p>Company: _____</p> <p>Phone Number: _____</p> <p>Email: _____</p>
	<p><b>FUNERAL ARRANGEMENTS</b></p> <p>Funeral Home Name: _____</p> <p>Phone Number: _____</p> <ul style="list-style-type: none"><li>• Copies of any prepaid or prearranged funeral arrangements</li><li>• Details of any specific wishes you have for you funeral or remains</li></ul>

DATE UPDATED	PART 1: KEY CONTACTS
	<p><b>NEXT OF KIN</b></p> <p>If a person has predeceased you, indicate the date of their death. <b>DO NOT</b> omit next of kin who have died, as this information can be important for administering your estate.</p>
	<p><b>Spouse -</b></p> <p>Name: _____</p> <p>Address: _____</p> <p>Phone Number: _____</p> <p>Email: _____</p>
	<p><b>Parent (mother(s) / father(s) - include any former surnames) -</b></p> <p>Name: _____</p> <p>Address: _____</p> <p>Phone Number: _____</p> <p>Email: _____</p>
	<p><b>Parent (mother(s) / father(s) - include any former surnames) -</b></p> <p>Name: _____</p> <p>Address: _____</p> <p>Phone Number: _____</p> <p>Email: _____</p>

Next of kin continues 

DATE UPDATED	PART 1: KEY CONTACTS
	<p><b>NEXT OF KIN - CONTINUED</b></p> <p><b>Child (1) -</b></p> <p>Name: _____</p> <p>Address: _____</p> <p>Phone Number: _____</p> <p>Email: _____</p>
	<p><b>Child (2) -</b></p> <p>Name: _____</p> <p>Address: _____</p> <p>Phone Number: _____</p> <p>Email: _____</p>
	<p><b>Child (3) -</b></p> <p>Name: _____</p> <p>Address: _____</p> <p>Phone Number: _____</p> <p>Email: _____</p>

Next of kin continues →

DATE UPDATED	PART 1: KEY CONTACTS
	<p><b>NEXT OF KIN - CONTINUED</b></p> <p><b>Sibling (1) -</b></p> <p>Name: _____</p> <p>Address: _____</p> <p>Phone Number: _____</p> <p>Email: _____</p>
	<p><b>Sibling (2) -</b></p> <p>Name: _____</p> <p>Address: _____</p> <p>Phone Number: _____</p> <p>Email: _____</p>
	<p><b>Sibling (3) -</b></p> <p>Name: _____</p> <p>Address: _____</p> <p>Phone Number: _____</p> <p>Email: _____</p>

DATE UPDATED	PART 1: KEY CONTACTS
	<p><b>BENEFICIARIES (OTHER THAN NEXT OF KIN ALREADY LISTED)</b></p> <p><b>Beneficiary (1) -</b></p> <p>Name: _____</p> <p>Address: _____</p> <p>Phone Number: _____</p> <p>Email: _____</p>
	<p><b>Beneficiary (2) -</b></p> <p>Name: _____</p> <p>Address: _____</p> <p>Phone Number: _____</p> <p>Email: _____</p>
	<p><b>Beneficiary (3) -</b></p> <p>Name: _____</p> <p>Address: _____</p> <p>Phone Number: _____</p> <p>Email: _____</p>

DATE UPDATED	PART 2: KEY DOCUMENTS & ASSET INFORMATION
	<p><b>POWER OF ATTORNEY</b></p> <ul style="list-style-type: none"> <li>• Copy of your Power(s) or Attorney</li> <li>• Location of your original Power(s) of Attorney:</li> </ul> <p>_____</p>
	<p><b>WILL</b></p> <ul style="list-style-type: none"> <li>• Copy of your Will</li> <li>• Location of your original Will:</li> </ul> <p>_____</p> <p><b>REMINDER: DO NOT</b> write on or unstaple your Will. Always consult your lawyer to make any changes, in order to avoid costly court applications after you pass that would be required if you alter your original Will (such as handwritten changes, notes of changes you would like to make, etc).</p>
	<p><b>TRUSTS</b></p> <ul style="list-style-type: none"> <li>• The Name of any trust of which you are a beneficiary or trustee</li> <li>• Copy of the Trust Deed (if you have it)</li> <li>• <b>Trustee(s) Contact Information -</b></li> </ul> <p>Name: _____</p> <p>Phone Number: _____</p> <p>Email: _____</p> <ul style="list-style-type: none"> <li>• Where the original trust documents are stored:</li> </ul> <p>_____</p>
	<p><b>BANK STATEMENTS</b></p> <ul style="list-style-type: none"> <li>• For each bank account (chequing, savings, GICs, RESPs, etc)</li> </ul>
	<p><b>REGISTERED INVESTMENT STATEMENTS</b></p> <ul style="list-style-type: none"> <li>• Account statement for each investment account (RRIFs, RRSP, TFSA, Segregated Funds, etc)</li> </ul> <p>For each registered account:</p> <ul style="list-style-type: none"> <li>• Have you recently met with your financial advisor to review your designated beneficiary/successor?</li> <li>• Have you designated a contingent (alternate) beneficiary?</li> </ul>



DATE UPDATED	PART 2: KEY DOCUMENTS & ASSET INFORMATION
	<p><b>ANY OTHER INVESTMENTS</b></p> <ul style="list-style-type: none"> <li>• Statement for each account</li> </ul>
	<p><b>PENSIONS</b></p> <ul style="list-style-type: none"> <li>• Copy of your pension plans' details</li> <li>• Have you designated a beneficiary?</li> </ul>
	<p><b>LIFE INSURANCE</b></p> <ul style="list-style-type: none"> <li>• Copy of each of your life insurance policies (or at least the cover page with key information)</li> <li>• Have you recently met with your insurance advisor to review your designated beneficiary?</li> <li>• Have you designated a contingent (alternate) beneficiary?</li> </ul>
	<p><b>SAFETY DEPOSIT BOX OR SAFE</b></p> <ul style="list-style-type: none"> <li>• Location of safety Deposit Box / Safe: _____</li> <li>• Location of Key / Combination: _____</li> </ul>
	<p><b>REAL ESTATE</b></p> <ul style="list-style-type: none"> <li>• List of addresses for all real estate of which you are a registered or beneficial owner, inside and outside B.C.</li> <li>• Copy of each property's insurance</li> </ul>
	<p><b>LEASES</b></p> <ul style="list-style-type: none"> <li>• Copies of all leases (residential tenancy if you're landlord or tenant, commercial leases, vehicle leases, etc)</li> </ul>
	<p><b>VEHICLES</b></p> <ul style="list-style-type: none"> <li>• List of all vehicles of which you are a registered owner</li> <li>• List of all vehicles you lease and a copy of the lease agreement</li> <li>• Copy of the vehicle's registration and insurance</li> </ul>

DATE UPDATED	PART 2: KEY DOCUMENTS & ASSET INFORMATION
	<p><b>JOINT ASSETS (IF NOT ALREADY ADDRESSED ABOVE)</b></p> <ul style="list-style-type: none"><li>• List of all assets you own jointly with any other person</li><li>• Name of other person(s) and their relationship to you</li></ul> <p><b>REMINDER:</b> Joint assets with someone other than your spouse may not have a right of survivorship and you should obtain legal advice about all joint assets with someone other than your spouse.</p>
	<p><b>KEY FAMILY LAW DOCUMENTS</b></p> <ul style="list-style-type: none"><li>• Copies of All Divorce Orders, Separation Agreements, and Orders Affecting Custody and Guardianship of Minors and/or property rights</li></ul> <p><b>REMINDER:</b> This information is not typically available through channels other than you, so if your estate needs it and you have not provided it, there can be costly steps required to ascertain this information.</p>
	<p><b>DEBTS</b></p> <p>Statements for each and every of the following:</p> <ul style="list-style-type: none"><li>• Credit card</li><li>• Mortgages and lines of credit</li><li>• Car loan</li><li>• Utility bills</li><li>• Telephone and cable provider</li><li>• Strata fee</li><li>• Other debts / service agreements</li></ul> <p><b>REMINDER:</b> As statements and account information increasingly moves to be paperless, this information is pivotal to ensuring obligations are paid/canceled as appropriate.</p>
	<p><b>INTELLECTUAL PROPERTY /ROYALTIES:</b></p> <ul style="list-style-type: none"><li>• List of all patents, trademarks, and copyrights you have registered or pending (including registration numbers)</li><li>• Copies of all licensing agreements</li><li>• Copies of all agreements under which you are entitled to receive royalties or licensing fees</li></ul>

DATE UPDATED

PART 2: KEY DOCUMENTS &amp; ASSET INFORMATION

**COMPANIES & OTHER BUSINESS INTERESTS**

- Names of all Companies, Partnerships, Joint Ventures, and Businesses in which you hold an interest
- Copies of any Shareholders' Agreements, Partnership Agreements, Joint Venture Agreements, or Buy/Sell Agreements
- Include all of the information relating to the business that is in this checklist (accounts, assets, digital information, its advisors, etc.)

Lawyer for your company / business:

Name: \_\_\_\_\_

Company: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

Accountant for you company / business:

Name: \_\_\_\_\_

Company: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

If your business is more than a holding company, your operations manager/key contact who handles day-to-day management:

Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

**REMINDER:** if you die or become incapable, your executor or attorney will typically be responsible for dealing with any voting shares in your companies, and therefore typically needs to have all information (or information on where to find it) necessary for the continued smooth operation of the business.

**DIGITAL ASSETS & ACCESS TO DEVICES:**

- List of all digital assets (Cryptocurrencies, online games with assets having commercial value, Facebook, Twitter, etc.).
- Consider whether you wish your executor to know your login particulars—accessing an account by anyone other than the account holder is usually a breach of the terms of use.
- List of all passwords/IDs/login information for devices (computers, phones, tablets, etc)

**REMINDER:** For cryptocurrency, if your estate or attorney in the event of incapacity does not have the access information, the asset is generally lost, but there can still be taxes payable in connection with it.

Without access to your devices, these may become useless or cost thousands of dollars may be spent obtaining court orders to access them.

**NOTES TO YOUR EXECUTOR**

It is my express intention that nothing I write on this Checklist, attach, or store with or in reference to this Checklist, is intended to be an expression of my testamentary intention. I have considered the operation of section 58 of the *Wills, Estates and Succession Act* and I do not intend anything in this Checklist to replace, amend, revoke, alter, or otherwise affect any Will or Codicil I have executed in compliance with the *Wills, Estates and Succession Act*.

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## **Boughton Law's Tax & Estate Planning Group**



**Important Notice:**

The information contained in this Article is premised on the law of British Columbia as at Sept 1, 2022. It is intended for general information purposes only and does not create a lawyer-client relationship. It is not intended as legal, accounting, or tax advice from Boughton Law Corporation or the individual author(s), nor intended as a substitute for legal advice on any specific subject matter. Accounting and tax advice is recommended. Detailed legal counsel should be sought prior to undertaking any legal matter. The information contained in this Article is current to the last update and may change. Last update: September 1, 2022.

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