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Personal Information - Deceased

Name:		
Last Address:		
Age:	Birth Date:	Birth Place:
Marital Status:	Date:	Place:
S.I.N. #:	S.H.S.P. #:	Blue Cross?
Last Attending Physician:		

Will Information

Date:	Executed at:
Witness Name:	
Address:	
Witness Name:	
Address:	
Holograph Will?	Person to swear Affidavit as to Handwriting:
Address:	
Died Intestate?	Person to search for will:
Address:	
Executor Name:	Has Will?
Address:	Requires Will?
Executor Name:	Has Will?
Address:	Requires Will?
Executor Name:	Has Will?
Address:	Requires Will?
Any executor renouncing?	Names:

Beneficiaries

Name:

Address:

Age:

Relationship:

Bequest:

Name:

Address:

Age:

Relationship:

Bequest:

Name:

Address:

Age:

Relationship:

Bequest:

Name:

Address:

Age:

Relationship:

Bequest:

Name:

Address:

Age:

Relationship:

Bequest:

Name:

Address:

Age:

Relationship:

Bequest:

Name:

Address:

Age:

Relationship:

Bequest:

Are infants interested in estate?

Any infants not interested in estate?

Mentally incompetent persons interested?

Dependents' Relief Act Apply?*Family Property Act* apply?

Safe deposit box?

Location of safe deposit box:

Estate Assets

Principal residence:	Value:	Ownership?
Other real estate:	Value:	Ownership?
Other real estate:	Value:	Ownership?
Other real estate:	Value:	Ownership?
Agr. for sale:	Value:	Ownership?
Mortgages:	Value:	Ownership?
Stocks and shares:	Value:	Ownership?
Stocks and shares:	Value:	Ownership?
Stocks and shares:	Value:	Ownership?
Bonds/Debentures:	Value:	Ownership?
Bonds/Debentures:	Value:	Ownership?
Bonds/Debentures:	Value:	Ownership?
G.I.C.s:	Value:	Ownership?
G.I.C.s:	Value:	Ownership?
G.I.C.s:	Value:	Ownership?
Bank Accounts:	Value:	Ownership?
Bank Accounts:	Value:	Ownership?
Bank Accounts:	Value:	Ownership?
Money on deposit:	Value:	Ownership?
Money on deposit:	Value:	Ownership?
Money owed:	Value:	Ownership?
Money owed:	Value:	Ownership?
Business interest:	Value:	Ownership?
Business interest:	Value:	Ownership?
Estate/trust int.:	Value:	Ownership?
Estate/trust int.:	Value:	Ownership?

Liabilities

Funeral account:		Balance:
Ambulance:		Balance:
Trade account:		Balance:
Trade Account:		Balance:
Land Mortgage Co.:	Property Covered:	Balance:
Chattel Mtg. Co.:	Property Covered:	Balance:
Leases:		Balance:
Indemnities:		Balance:
Guarantees:		Balance:
Separation Agr.:		Balance:
Maintenance:		Balance:
Other debts:		Balance:
Other debts:		Balance:
Other debts:		Balance:
Advertise for creditors?	Papers:	

General

O.A.S.?	CPP Retirement?	CPP Disability?	CPP Survivor?
CPP benefits application?		To be prepared by?	
Final clearance?		To be prepared by?	
T1 Death Return?		To be prepared by?	
Rights & things return?		To be prepared by?	
Business income?		To be prepared by?	
Trust Income?		To be prepared by?	
Capital loss?		To be prepared by?	
Annual T3 return?		To be prepared by?	
Miscellaneous?		To be prepared by?	

Rules Concerning Fees

Section 745 of the *Queen's Bench Rules of Practice and Procedure* provides:

(1) In this Rule and in Schedule I "C" of the Tariff:

"core services" means:

- (a) receiving instructions from the personal representative;
- (b) reviewing a will or *The Intestate Succession Act, 1996* with the personal representative;
- (c) providing a copy of the will to each beneficiary;
- (d) obtaining details about the deceased and the deceased's property and debts;
- (e) attending to obtaining the grant from the court;
- (f) advertising for creditors;
- (g) transmitting all estate assets to the personal representative and subsequently transferring them to each beneficiary;
- (h) dealing with the Public Guardian and Trustee if required;
- (i) generally advising the personal representative about estate matters;
- (j) dealing with ordinary attendances and correspondence for the core services;

"non-core services or other services" includes but is not limited to the following:

- (a) with respect to estate administration, doing all or any of the following:
 - (i) determining who will apply for a grant in intestate estates;
 - (ii) locating beneficiaries;
 - (iii) locating assets in an intestacy or testate situation;
 - (iv) obtaining a bond for the purposes of Rule 719;
 - (v) determining whether joint property is an estate asset;
 - (vi) making court applications, including for matters such as substantial compliance, interpretation or contentious business;
 - (vii) dealing with distribution issues respecting personal belongings;
 - (viii) paying bills and dealing with creditors;
 - (ix) dealing with property in joint tenancy;
 - (x) dealing with life insurance claims where the beneficiary is not the estate;
 - (xi) dealing with pensions and investments where the beneficiary is not the estate;
 - (xii) handling receipts and disbursements through trust accounts;
 - (xiii) dealing with property management;
 - (xiv) acting for the estate in the sale of estate property;
 - (xv) gathering information and dealing with accounts respecting terminal income tax returns, trust returns and goods and services taxes;
 - (xvi) attending to preparation or filing of tax returns;
 - (xvii) obtaining tax clearance certificates;
 - (xviii) corresponding with and attending on beneficiaries;
 - (xix) preparing personal representative accounts for approval by the beneficiaries;
 - (xx) preparing and obtaining beneficiaries' releases;
- (b) with respect to passing of accounts:
 - (i) preparing an affidavit of the personal representative;
 - (ii) applying ex parte for an appointment for passing accounts and serving the appointment;
 - (iii) appearing on appointment date to speak to the application;
 - (iv) attending before the examining officer;
 - (v) setting and serving the appointment date;
 - (vi) appearing on the appointment date to speak to matters in dispute and to the order allowing and passing accounts;
 - (vii) issuing and serving the order allowing and passing accounts.

(2) The lawyer retained by the personal representative is entitled to payment for providing core services to the personal representative or the estate as follows:

- (a) as a percentage as set out in Schedule I "C" of the tariff; or
- (b) any lesser fee than that provided for in clause (a) that is agreed to by the lawyer and the personal representative.

(3) Before being retained by the personal representative, the lawyer shall advise the personal representative in writing of the lawyer's method of billing for non-core services or other services to the personal representative or the estate, based on one or more of the following:

- (a) a percentage of the value of the estate;
- (b) at a specified hourly rate;
- (c) as a fixed fee;
- (d) a combination of the methods set out in clauses (a), (b) and (c).

(4) When presented with the lawyer's bill of fees and disbursements, a personal representative may proceed to have the account assessed pursuant to *The Legal Profession Act, 1990* and these rules.

SCHEDULE I

"C"

IN THE COURT OF QUEEN'S BENCH IN PROBATE AND ADMINISTRATION OF ESTATES MATTERS

1 For the purposes of this Schedule, the value of the estate is the total of all assets of the estate being administered. Property not handled by the personal representative, such as joint property, insurance, annuities and pensions not payable to the estate, is not included in the value of the estate and the lawyer shall charge separately for services respecting that property.

2 For all necessary core services rendered, the fee allowed to the lawyer is:

- (a) \$1,500 plus 1% of the first \$500,000 of the value of the estate;
- (b) $\frac{3}{4}$ % on the next \$500,000 of the value of the estate; and
- (c) $\frac{1}{2}$ % on the remaining value of the estate.

3 For non-core services or other services rendered for the estate and for the passing of accounts, the additional fee allowed to the lawyer is the fee provided for in Rule 745(3).