

# End of Life Planning: A Guide to Will Preparation and Funeral Instructions



## Leeds Anglican Ministries - Stronger Together in Christ

As Christians, we receive God's gifts gratefully, cultivate them responsibly, share them lovingly in justice with others, and return them with increase to the Lord.

Preparing your Will is an act of Christian stewardship. Remembering your parish, the Diocese, or any of its ministries, service agencies and institutions in your estate planning is a decision of generosity and faith, and participation in the mission of the Church.

As you work at your estate plans, we encourage you to talk to your family, financial advisor and lawyer. We can also provide you with worksheets to assist you with your planning. We welcome any questions as you prepare your estate. We hope this guide helps you achieve peace of mind.

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### **Message from The Ven. Nancy MacLeod and The Rev. Trish Miller**

Dear friends,

As clergy, we often journey with families before, during and after the death of their loved ones. It is frequently a time fraught with grief and confusion, often complicated by the lack of an up-to-date Will and directions for end-of-life care and funerals.

Individuals and families seem reluctant to have the difficult discussions around end-of-life planning for a variety of reasons: it's morbid or frightening; there will be time to plan and prepare a Will later; they don't know where to begin; the cost of Will preparation and/or funeral planning is too expensive; "I don't have anything to leave in a Will."

We hope this resource can address some of those barriers to end-of-life planning. We hope this booklet will help you see that a Will and plan for your estate after your death are a future gift to your loved ones. A current Will minimizes delays and impediments to their access to your estate and effects. And even informal funeral planning will give them confidence they are honouring your wishes.

Your Will and funeral plans should be a reflection of your values and priorities in life. This resource will help you express those things you hold most important in life in a tangible, authentic way. As you navigate through this booklet, we would be happy to answer your questions or provide you with additional resources.

*Please note that this document is meant to be a tool to help prepare for your death. It is not meant to offer legal or financial advice. It is recommended you consult with your family, lawyer and financial advisor as you prepare this information.*

## **Why do I need a Will?**

Dying without a Will (called dying “intestate”) can be a problem for three reasons.

- Your property will be divided according to the law, which may not be the same as how you would have divided it.
- No one will have been appointed by you to be the Executor. An application will have to be made to the Court to appoint someone to act as your Executor.
- There will be extra time delays and expenses involved in wrapping up your estate.

The appointment of an Executor or Estate Trustee by Will gives that person the power to manage your affairs immediately following death. Without a Will, no one has the authority to settle your estate until someone, (usually your next of kin) is appointed by the Court as Administrator. The necessity of having to go to Court can cause lengthy delays resulting in unnecessary hardship and expense for your family.

If you die without leaving a surviving spouse by marriage, or issue, the Succession Law Reform Act (SLRA) designates successive next of kin, by proximity of blood relation, who are entitled to inherit. In that situation, property would go first to your parents, if alive, and if not, then to your surviving brothers and sisters or their issue, if any, and so on. Where there are no surviving kin, your property would become the property of the government of Ontario.

The law that deals with the distribution of the estate of a person who dies without a Will, speaks only of a legal spouse. There is no provision made for the common-law spouse. If you are living common-law, you have to specifically provide for that person. If you are living common-law and die without a Will, the property will be distributed as though the common-law spouse were a complete stranger.

For more information visit:

<https://cleoconnect.ca/resource/yourlegalrights/if-you-die-without-a-will/>

### **Child Guardians**

If you have underage children (under 18 years old), it is crucial to name a child guardian and an alternate guardian in your Will. Choose someone you trust your child’s care with. Ensure you have a discussion with the potential guardians before you name them in your Will. It may be wise to provide extra money in your Will to help guardians take care of your children.

### **Executors (Personal Representatives)**

When you choose an Executor (also called a Trustee) it is wise to choose more than one because an Executor could predecease you or be unable to serve. An executor is a legal term referring to a person named by the maker of a Will, to carry out the directions of the Will. Typically, the executor is the person responsible for offering the Will for probate, although it is not required that they fulfill this. The executor’s duties also include disbursing property to the beneficiaries as designated in the Will, obtaining information of potential heirs, collecting and arranging for payment of debts of the estate

and approving or disapproving creditors' claims. An executor will make sure estate taxes are calculated, necessary forms are filed, and tax payments are made. They will also assist the attorney with the estate. Additionally, the executor acts as a legal conveyor who designates where the donations will be sent using the information left in bequests, whether they be sent to charity or other organizations. Trust companies or banks can also act as Executor and will always be able to serve.

### **Personal Directives**

Personal directives are legal documents which allow you to name a decision maker and/or provide written instructions to be followed when, due to illness or injury, you no longer have the capacity to make decisions such as where you will live or the medical treatment you will receive.

### **Spiritual Care When You are Ill**

If you wish to receive pastoral care, when you are admitted to the hospital identify yourself as an Anglican. Ask family or friends to notify the hospital Chaplain and/or your parish priest that you are there so you can receive spiritual care and visits.

### **Organ and Tissue Donation**

If you have not already, please consider organ and tissue donation. Such a noble donation saves lives and improves the quality of life for many more.

If you are interested in learning more about organ donation please contact:

#### **Website:**

[www.giftoflife.on.ca](http://www.giftoflife.on.ca)

#### **Address:**

Trillium Gift of Life Network, 522 University Avenue, Suite 900, Toronto, ON M5G 1W7

#### **Phone (General Inquiry):**

1-800-263-2833 (Toll Free) / 416-363-4001 (in Toronto)

#### **Email:**

[info@giftoflife.on.ca](mailto:info@giftoflife.on.ca)

Or to easily register to be an organ or tissue donor on-line go to [www.beadonor.ca](http://www.beadonor.ca)

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### **What Happens Following a Death?**

The loss of a loved one is difficult. Here is a list that can help you identify what to do when someone passes away. (The following information was obtained from Service Ontario, web address: <https://www.ontario.ca/page/how-get-copy-ontario-death-certificate-online>)

#### **First steps**

The funeral director will register the death by completing the Statement of Death. This will be done with information received from a family member and the medical certificate.

#### **Death registration**

In the event of a death, the attending physician or coroner completes the Medical Certificate of Death and gives it to the funeral director with the body of the deceased. To register a death, a family member and the funeral director must complete the Statement of Death with information about the deceased. Once completed, the Medical Certificate of Death and the Statement of Death are submitted to the local municipal clerk's office by the funeral director.

## **Death certificate**

The funeral director will issue copies of proof of death that you can use in certain situations. There are some organizations, however, that may require an official death certificate from the Province of Ontario. You may need an official death certificate or certified copy for: settling an estate; insurance purposes; access to/termination of government services, e.g., health card, pension, voters' list; and genealogy searches. The Long Form death certificate does not include medical cause of death. This is obtained by applying for an extended long form death certificate by fax, mail or at the following Service Ontario Centre:

47 Sheppard Avenue East, unit 417, 4th Floor, Toronto ON M2N 5N1

You may need the extended long form death certificate for: settling an estate outside the country; or pension purposes outside the country. If you are unsure if you need a file sized certificate or certified certificate, please check with the Ministry, government agency, or person requesting the document before you order.

## **Obtain a Death Certificate**

You can order a copy, or multiple copies online, if the death is registered in Ontario. You can use this certificate to cancel a health card or driver's license and for insurance purposes. To order a death certificate, you will need:

- first and last name of the person who died
- sex of the person who died
- date of death
- name of city or town in which death took place
- parental information about the person who died
- spouse or partner information of person who died, if applicable

If you have any questions, please contact:

Office of the Registrar General

189 Red River Road, PO Box 4600, Thunder Bay, ON P7B 6L8

Telephone:

1-800-461-2156 (outside of Toronto) / Fax: 1-807-343-745

## **Who to advise?**

### **Pensions and Benefits – Federal**

- Old Age Security (OAS) and Canada Pension Plan (CPP)
- Employment Insurance (EI) benefits
- Canada Revenue Agency (CRA)
- International Benefits Federal
- Canada Child Tax Benefits (CCTB) / Universal Child Care Benefit (UCCB)

- Canada Pension Plan / Old Age Security Program
- Canada Savings Bonds
- Goods and Services Tax (GST) Credit
- National Defence Disability and Death Benefits
- Veterans Affairs Disability Program Benefits
- Veterans Affairs Funeral, Burial and Gravemarking Assistance

### **Pensions and Benefits - Provincial**

- Life Insurance Policies
- Motor Vehicle Accident Insurance Policies
- Guaranteed Income Supplement
- Guaranteed Annual Income System (GAINS)
- Ontario Disability Support Program
- Ontario Drug Benefits
- Ontario Savings Bonds
- Ontario Works
- Trillium Drug Program
- Workplace Safety and Insurance Board Benefits

### **Other**

- Former employers of the deceased for company pensions
- Any regular services received, i.e. lawn care, snow removal, house cleaning, etc.
- Canada Post
- Utilities

### **Personal Identification**

- Social Insurance Number (SIN)
- Passport
- Citizenship Permanent Resident Card
- Secure Certificate of Indian Status (SCIS)
- Driver's License
- Health Card

**To find out more please visit:** [www.ontario.ca/page/what-do-when-someone-dies](http://www.ontario.ca/page/what-do-when-someone-dies)

## **What should I consider when planning my funeral?**

### **Funeral Home/ Crematorium Service**

If you have a preferred funeral home or Crematorium Service, it is helpful to share this information with your family or loved ones so they know who to contact immediately after your death. **Be sure to let your family know if you have pre-arranged and/or pre-paid.** The funeral home or crematorium service will take care of the body and will be instrumental in the administration required to issue a death certificate. Most funeral homes and crematorium services offer pre-planning and pre-payment of their services if that is something you wish.

It is helpful to indicate if you wish to be buried in a casket or if you wish to be cremated. For your funeral service, if your preference is for a casket, do you wish an open or closed casket for viewing.

You may wish to consider a financial budget for your funeral arrangements. Costs can range from \$1500 - \$20000 with the average in the \$2200-\$5300 range. Cremations with an urn tend to be less expensive than a casket, and open casket services may require additional costs. There may also be costs associated with cemetery plots, opening and closing of a plot, and grave marker (headstone).

You may wish to consider your preferred place of burial, and if applicable purchase a plot in your cemetery of choice. If you are being cremated, there are other options to interment (burial of cremated remains) in a cemetery.

### **Notifications**

It is helpful to have a list of who should be notified following your death. In the grief that follows immediately after a death, it is often easy to overlook someone who should have been notified – a list helps to minimize any unintended oversights.

Obituary: Your obituary is more than a funeral announcement. It is a reflection on those relationships you treasured in life and the memories and experiences that were most meaningful to you. It is helpful to provide some thoughts for your loved ones on what you would like included in (or excluded from) your obituary. Your obituary notice can also include your wishes for memorial donations/contributions.

### **Funeral Service**

Where would you like your funeral service to be held? Options include the church, funeral home chapel, graveside or other options. For services in the Anglican Church tradition, there is an option to include the Eucharist in the service. **Please remember that if you wish to be cremated and have the funeral service following the cremation, clergy may be asked to have a service of committal to cremation with your immediate family prior to that taking place.**

Music is often a key element in funeral services and can be played live or from recordings. Church musicians generally have the first right of refusal at any service that takes place in their parish. It is helpful to write down and share any favourite hymns or secular music that you would like included at your funeral.

Within the Anglican Church tradition, the funeral service suggests Scripture readings appropriate for Christian burial. Other churches or denominations might not. You may also wish to include other poems or readings. Are there scripture readings you would like to be shared as part of the service?

You may also wish to consider who will participate in your funeral service liturgy. Is there someone (or more than one person) who will share the eulogy or reflect on memories? Do you have loved ones you would like to read scripture or other readings? Is there someone you would like to lead the prayers of the people?