

## Worst Case Scenarios - Don't let this happen to you or someone you love

### No Will

**My father died with no will. He had no excuse as he had been sick for at least a year. His wife had to come to my sister and I, who were children of his first marriage, and ask us to send her letters stating that we didn't want any of his estate. If we wanted to be evil we could have made life very difficult for her, she couldn't even register her car without those letters as all vehicles had been in his name. We could have made her sell their house and put in financial trouble, but we decided that due to our strained relationship with our father, it wasn't worth the battle. She was lucky as things could have gotten very ugly.**

*My mom, started to get sick in 2006, we had found out that she had cancer of the bones, she went for a few rounds of radiation and steroid therapy. She lived with us for 2 years before she went into hospice. It really was not that we were not aware that at some point we were going to lose her. We received the Calgary Memorial Society pamphlet from the hospital at some point during her 2 years of treatment for her cancer and they said we should send in the paperwork as it would really save on funeral costs. But we just never got around to it. Once my mom was in hospice I figured I really should get on it. It was a savings of over 1500.00 which is a huge chunk of change and for only 20.00 I was wondering why everyone would not join the society? So, finally I got around to mailing it off, this was on a Friday and my mom passed away on the following Monday. Now there was no big sign that she was going, it was just coincidence. I did find out that the memorial society did not receive the paperwork before the Monday and I was not eligible for the saving. I had also found out that I had filled in the paperwork wrong and even if they would have received it, I put it in my name and not my moms.*

*My mom passed away almost 2 years ago now and we still don't have my family registered at the Memorial Society, not sure why, its just not something that you think about!!*

*We had also talked about making her bank accounts joint, I was her only child and she had no RRSP's or real-estate, so it was also not something that we thought needed to be done, again once she went into hospice it was something that we thought about more. We had said on many occasions that on a good day, we need to make an effort to head to the bank and add me as a joint person on her accounts. Well, as there just never seemed to be a good day for this either, because she passed away before we got a chance to get to the bank. I figured it was still not a huge deal as she did not have anything really, but I found out that to close her accounts I needed paperwork, and it could have been easier if all I had was a piece of paper that she had signed making me the one in charge or had at the least make myself joint on her accounts. Oh well, live and learn...I will hopefully make it easier for my kids?*

**My neighbor passed away this year. He was a 46 year old man who was in good health but was stressed out. He was police detective and was home on stress leave. He was on some medication and got sick and collapsed. His mother found him a couple days later. They figure it was a complication with the medication he was on. He went into cardiac arrest and died. He was the greatest guy, a great neighbor, and was only two years from retirement. I had talked to him the day before and he said he had been feeling crappy. He was a divorced, single guy with no kids and he did not have a will. His 77 year old mother has to look after his affairs and still does not have administration rights, she can't sell his house, his car or anything else until it goes before a judge. His house insurance company was going to close his account as he is no longer alive and she can not take out insurance as she does not own the property. She had to beg them to keep the insurance in his name until she owns the house. This happened at the beginning of July and it is now almost November, and his mom still waits. She is having a lot of trouble moving on and coping. She has to come every few days to check the house so the insurance is not void. If the house was sold and belongings dealt with, I believe she could move on. Something that no one ever thinks will happen to them**

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### No Living Will

*My family still has not recovered from the loss of our mother. She was in a car accident which left her back broken in 3 places and she was unable to speak due to extreme brain damage. It was clear she was in tremendous pain and the doctors did not see her recovering. At one point she stopped breathing and my sister insisted that the doctors resuscitate her. Mom did not have a will made out, living or otherwise. My sister was not able to deal with the potential loss of our mother regardless of the level of pain she was in. I thought it was cruel to keep her alive in such pain and unable to speak. I wanted to set her free if we lost her again. She ended up spending 8 long months in pain in the hospital before my sister would let her go when she stopped breathing. There are 5 sisters in the family, 3 of us wanted to let her go, one could not and one was neutral. The one sister took us to court when we tried to have a DNR signed. She had a couple examples of medical cases where people recovered from a broken back. This was not our doctor's diagnosis and the cases were not as extreme as moms and they did not include the brain damage that mom also suffered in the accident. It sounds crazy but she managed to get a court order against us so the doctors had to do what she said.*

*It did not stop at that either. After mom passed there was no will to go by and one sister was living with her at the time. She was the neutral one. Those two took everything mom had and did not even share a picture with the other 3 of us. At one point my uncle tried to help us but sis actually threatened him and told him to stay away. Mom never had any real wealth but the 3 of us should have at least received some items to remember her by.*

*They say that a loss in the family can bring out the worst in people and this experience is a true example of that. Our family is broken and this happened 7 years ago. If mom would have just had some personal directives and a living will defined ahead of time, we still might be a family in contact.*

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### Not keeping copies of a Will

My father-in-law remarried and was with my step-mother-in-law for almost 20 years. Both sides entered the marriage with children from their previous marriages. My stepmother-in-law had been left destitute by her first husband when he passed and had 3 children to raise alone. My husband's family took her in as one of their own and my stepfather raised her children as his own.

Before my father-in-law passed away, he expressed his wishes for his children to sign off against his estate so his wife could continue to have a decent quality of life. The understanding between both families was that when she passed away, the estate would then be divided between her children and his.

My husband was executor of his father's estate and co-executor on hers with one of her daughters. At his father's death, his father's wishes were upheld by the family and his wife was left with the estate.

When my step mother-in-law passed away 21 years later in 2009, we were not even informed of the memorial service and it raised an alarm about the estate and the agreement between the families.

My husband found out he had been removed as co-executor of her will and both of her daughters had replaced him. Her children convinced her three years prior to renege on the agreement and changed the will leaving them as sole benefactors. We were able to find most of the paperwork from my husband's father's estate, but no copy of the will to substantiate the agreement. Never in our wildest dreams did we think this would happen. To contest it at this time would cost more in time and money now than is worth to us, especially without a copy of the original will. But the emotional damage has been done.

We know now to keep EVERYTHING - any correspondence, letters and especially the important documents such as wills.

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### Not updating Wills and Policies

My husband's mom passed away unexpectedly in 2007. Her will was 20 years old. Her mom had passed away in 2005 and left money to her -which she wished to be passed to her sons. Needless to say, this was not in the will and the boys (my husband and his brother) had chaotic family turmoil trying to get the money from dear old dad. Instead of ending up 50/50 - and after his dad tried to retract his offer of sharing at all-they finally split it 3 ways. It caused a lot of family grief and unnecessary hurt and resentment at such an awful time in our lives.

*My father passed away while fishing in 2007. He was quite diligent in keeping the family updated about his will and paperwork since my grandmother and aunt passed away in the years before. We even talked at length about it two months before he passed. If he knew something was wrong at that time, he never made mention of it.*

*As executor, I had access to his documents and proceeded to file claims with life insurance and get probate started. One update that was not current, was the beneficiary information on his life insurance. He filled out the initial paperwork 20 years ago at least and my sister and brother were both minors at the time. Now, 2 of us were married, names changed and all of us were adults. Since life insurance proceeds are supposed to be the first funds to be paid out, to help pay debts, the funeral expenses and probate fees to unfreeze the estate assets, it was very frustrating and stressful to get caught in a red tape paperwork mess. My initial filing was rejected by mail, so a few weeks had passed. Then my sister and brother had to fill out affidavits that they were no longer minors. We thought that would be last of it. No, then by mail again, I was notified that all name changes had to be registered since ID provided did not match the names on the beneficiary listing. This went on for months. Turned out, with my own private funds, I filed probate, paid the probate fees and had the estate released BEFORE we got the life insurance proceeds. It is oversights like this that can be costly and potentially damaging to families and executors who do not have access to funds to pay debts such as property taxes, insurance, probate fees or even lawyers. Many families have lost homes or property because no funds were available while the estate was frozen.*

*We also received in the mail, months after things were settled and small pension that nobody knew existed. I'm sure my father didn't even know. After many years of working for different companies and belonging to different unions, alot paperwork had been filled out and much of it forgotten.*

Keep track of pensions, life insurance policies, beneficiary status and lists, so that the money is not caught up in red tape hassles and is no help to your family when they may need it most. Look into the details of policies too, as they may expire at a certain age. I am positive my father wasn't aware that his life insurance policy expired at age 65. He died early at 63, so it was still paid out, but two years later, it may have caused financial distress in getting the estate released.