



# FEDERAL INDIAN DAY SCHOOL CLASS ACTION

## CHECKLIST #1

### GRANT OF PROBATE

#### Documents required

- Original Will
- Original Codicil (legal document that you use to make a minor change to your will), if any
- Death Certificate
- A translation of the Will/Codicil if they are in a language other than English or French

#### Information about the Deceased

- Full legal name of the deceased
- Occupation of the deceased
- Place of residence of the deceased
- Any other names the deceased was known by
- Deceased's marital status (unmarried, married, widowed or divorced) at death
- Whether the deceased was living in a common-law relationship at death. If so:
  - the name, age and address of the common-law partner
  - the number of months/years of cohabitation
  - the name(s), age(s) and address(es) of their natural or adoptive children
- Detailed list of the deceased's assets and their fair market value as of date of death
- Detailed list of the deceased's liabilities and the balances owing as of the date of death

#### Particular Situations

- \* **If the will is a holograph will:**  
the name, place of residence, and occupation of someone who knew the deceased and is familiar with the deceased's handwriting and signature.
- \* **If the will is written in a language other than English or French:**  
the name, place of residence, and occupation of someone who is familiar with the language in which the will was written and either English or French and who is able to provide a translation of the will into either English or French

#### Information about Other Individuals

- Names, ages and addresses of **spouse, children** and **any other person entitled to share in the estate**, their relationship to the deceased, whether they are physically or mentally disabled
- If anyone entitled to share in the estate died before the deceased, the name, date of birth, date of death, and relationship of each such person to the deceased. Name(s), address(es) and age(s) of the next of kin of any deceased beneficiary
- Names, ages and addresses of any **dependants** as defined in the *Dependants Relief Act*

#### Information about Witnesses and Executor(s)

- Names and places of residence of the witnesses to the Will, the length of time they knew the deceased, and confirmation that they are not a beneficiary or the spouse of a beneficiary
- Place(s) of residence/address(es) and occupation(s) of the named executor(s) who are applying for probate
- The name of anyone named in the Will with an equal right or prior to apply for the grant of probate who is not applying and the reason(s) they are not applying