

General legal resources

Halton Community Legal Services

A community-based legal clinic for low-income residents funded by Legal Aid Ontario, providing legal services regarding housing, Canada Pension Plan, Old Age Security, social assistance and employment insurance law.

.....905-875-2069
www.haltonlegal.ca

Advocacy Centre for the Elderly (ACE)

Legal clinic specializing in older adults issues, providing advice and representation for older adults who cannot be served by local clinics or private lawyers

.....416-598-2656
www.advocacycentreelderly.org

Law Society Referral Service

Agency providing a variety of legal information and resources. Use the online referral service on the website to obtain the number of a lawyer who will provide you with a free 30-minute consultation. Toll free crisis line1-855-947-5255
www.findlegalhelp.ca

Community Legal Education Ontario (CLEO)

.....905-875-2069
www.cleo.on.ca

CLEO provides an online collection of legal information and webinars:
www.yourlegalrights.on.ca

Legal Aid

Older adults who receive the Guaranteed Income Supplement can receive assistance to create a will.

They may issue certificates to assist low-income individuals with private lawyers' fees.

.....800-668-8258
www.legalaid.on.ca

Information on wills, POAs and Advance Care Planning

Community Legal Education Ontario (CLEO)

Free tools to create POA's and a simple will. Web search for "Steps to Justice Guided Pathway" or go to:
www.stepstojustice.ca/guided-pathways

Ministry of the Attorney General: Office of the Public Guardian and Trustee (OPGT)

.....416-326-2220 or 1-800-366-0335
www.ontario.ca/page/attorney-general

Or contact your local MPP

Power of Attorney Kits

To order a print copy of the free Power of Attorney kit from Publications Ontario phone 1-800-668- 9938 or 416-326-5300 or go to:

www.publications.gov.on.ca

Search publication:

.....# 300975 (English)
.....# 300976 (French)

Advance Care Planning Kits

Advance Care Planning Ontario

833-621-0728
www.advancecareplanningontario.ca

Dying with Dignity Canada

Receive a free Advance Care Planning Kit 416-486-3998
.....Toll free: 1-800-495-6156
www.dyingwithdignity.ca

Note: This document is provided for information only and is not a substitute for legal advice.

For more information, visit **www.halton.ca** or call 311.



halton.ca 311

Wills/Powers of Attorney (POA)



2025

Fast Facts

Older Adult Advisory Committee (OAAC)



Protecting yourself and your estate

In order to adequately protect yourself, your family and your assets, every adult should have the following legal documents in place:

- Power of Attorney for Personal Care
- Power of Attorney for Property
- Will

Powers of Attorney end with the individual's death. After death, the estate trustee or executor for the estate handles all financial and legal matters, according to the provisions set out in the will.

Understand your legal options and act. Without these documents you cannot be sure that your wishes for personal care and settlement of your estate will be carried out as you intended.

You can choose to:

- Utilize online tools
- Employ a lawyer to write or review the documents.

Note: Handwritten or holographic wills are often contested and should be avoided.

Power of Attorney (POA) for Property

This signed and witnessed document specifies who will act on your behalf for a defined period of time. (ie. If you are outside the country).

Continuing Power of Attorney (POA) for Property

This signed and witnessed document names the individual(s) that can make decisions about your financial affairs (including paying your bills, collecting money owed to you, maintaining or selling your house, or managing your investments) if you become incapable.

Continuing Power of Attorney (POA) for Personal Care

This is a signed and witnessed document that names who is to act as your “substitute decision- maker” (SDM) concerning your health care, housing and other aspects of your personal life (such as meals and clothing) if you become incapable of making these decisions.

In this event, doctors and others are required by law to seek direction from the SDM named in your POA for Personal Care. The SDM must follow the wishes you expressed while you were capable.

Be careful to choose those prepared to handle what can sometimes be difficult and emotional decisions.

An Advance Care Directive provides guidance as to what medical treatment or non-treatment you would want under the conditions specified by you, if you are unable to make your wishes known at the time. You can include these wishes in your Power of Attorney for Personal Care.

If you have **not** appointed an SDM in a POA for Personal Care the *Health Care Consent Act* (HCCA) lists the people who can make personal care decisions for you.

Wills

A signed and witnessed document that:

- provides directions about your property and assets after death; and
- assigns responsibility to the individual(s) who will carry out your wishes (estate trustee or executor).

Choose an executor who is able and willing to fulfil the required duties.

If you die without a will (intestate), your estate will be settled in accordance with the Ontario Succession Law Reform Act. The court will appoint a trustee to oversee the evaluation of your estate for taxation and probate before settlement. The Act also dictates that if there is no next of kin, the estate goes to the Ontario government. Ensure your wishes are fulfilled by preparing this critical legal document!

Important considerations

It is important to keep these documents updated when:

- there is a major change in yours or a member of your family's life or health; or
- you want to change the individual(s) you selected to act on your behalf; or
- the individual(s) you selected is no longer willing or able to act on your behalf; or
- you wish to support a different charitable organization(s).

Make sure the people you choose to act on your behalf have access to the documents. Give them each a copy and tell them where original documents are stored.

For more information about mental capacity, contact:

Ministry of the Attorney General:
Office of the Public Guardian and Trustee (OPGT)

800-366-0335

www.ontario.ca/page/mental-capacity