



# Wills + Estate Planning

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## Overview

Many people understand the importance of having a Will but not everyone is aware of the benefits of retaining a lawyer to draft and finalize a Will. The security you gain by hiring a lawyer goes beyond knowing that your Will meets technical requirements and will hold up in the face of challenge. You will also know that you have explored the full range of issues that a Will can address and understand how it fits into the context of your broader estate planning.

Our Wills, Estates + Trusts Team can advise you on how to most effectively arrange your affairs to avoid unnecessary probate taxes or litigation and to ensure your loved ones, assets, and business interests are protected in the event of death or incapacity.

Some of the services we offer include:

- Multiple Wills to avoid or minimize probate tax
- Mirror Wills for spouses
- Trust planning
- Special-needs planning
- Charitable giving
- Retirement planning
- Business succession planning
- Estate-related real estate planning
- Incapacity planning

When we meet with you, we will review your particular circumstances and make recommendations regarding what should be included in your Will such as:

- Testamentary trust provisions
- Appointment of guardians for minor children
- Identification of an estate administrator, or executor, for the estate
- Special provisions for asset distribution, such as charitable donations

## Services

Estate Administration  
 Guardianship + Trusteeship  
 Estate + Trust Disputes

## People

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## News + Views + Events

June 2025 - 12 min read

[The Use of Farm Losses in Agricultural Succession Planning](#)

March 13, 2025

[Understanding Wills + Estate Planning](#)

November 2024 - 3 min read

[The Young Albertan's Guide to Wills](#)

March 2020 - 2 min read

[A Question of Priorities \(If You Want to Administer an Estate\)](#)

May 2019

[Act On Your Legal Obligations to Avoid Post-Death Disputes](#)

## FAQs

### Question:

What is probate?

### Answer:

Simply put, it is a legal process for determining that the Will is valid. It confirms the authority of the person appointed in the Will as the executor to be able to carry out the administration of the estate in accordance with the terms of the Will.

### Question:

What is the probate process in Alberta?

### Answer:

The named executor will be required to submit to the Court the deceased's original Will, along with a number of other Court approved forms, providing information about the deceased, the beneficiaries and the assets and liabilities of the estate. After a few weeks, the Court will issue a document called a Grant of Probate (or a Grant of Administration if there is no Will). This document is proof of the executor's authority to be able to deal with banks and other agencies such as land titles offices, in order to administer the deceased's assets. A probate lawyer can help you identify any potential issues your particular case may need to address and help you avoid unnecessary delays.

### Question:

Do all estates require probate?

**Answer:**

Not every estate will require probate. Assets held in joint ownership with another person will often not require probate if the deceased's intent was for those assets to pass to the surviving joint owner upon death. In addition, assets such as RRSP's or life insurance, where a beneficiary is designated, will not require probate. An executor should check with financial institutions and other third parties who hold estate assets to determine whether they require a Grant of Probate prior to releasing the assets.

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**Disclaimer:** The above information is intended to provide commentary on frequently asked questions in this area of law and should not be interpreted as providing legal advice. Please contact a group member before acting on any of the information.