

Publisher's Note

2018 — Release 10

Previous release was 2018-9

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Butler

Tax Planned Will Precedents, 4th

Written by a tax and estate planning specialist with over 30 years experience practicing law, this fourth edition of Tax Planned Will Precedents is an invaluable handbook for any lawyer engaging in estate planning. It features significant updates to commentary as well as a reorganization of relevant clauses in a more intuitive manner. It also features many useful forms and checklists including: the Estate Planning Information checklist, the Information for Executors form, the Checklist of Information about Testator, Directions to Executors and Trustees, and the Will Checklist.

What's New in this Update:

This release features updates to Part II (Expositive Clauses).

Highlights

- **Part II Expositive Clauses — Will Formalities** — The testator filled out a standard fill-in-the-blank will form in her own handwriting and signed it. Another signature, the testator's sister's, appeared at the end of the document. The court was satisfied that the testator filled in the document while she was alive, was testamentary even though it contained drafting errors, and disclosed the testator's testamentary intentions: *Giesbrecht v. Giesbrecht*, 2018 SKQB 249, 2018 CarswellSask 450 (Sask. Q.B.).

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- **Part II Expositive Clauses — Will Formalities** — It is important to distinguish between validation of a non-compliant will and rectification of a will: see *Edmunds Estate*, 2017 ABQB 754, 2017 CarswellAlta 2609, 62 Alta. L.R. (6th) 395, 33 E.T.R. (4th) 111 (Alta. Q.B.) and *Becker Estate (Re)*, 2018 ABQB 360, 2018 CarswellAlta 860, 38 E.T.R. (4th) 231 (Alta. Q.B.).