



## Lancaster, Brooks & Welch LLP

BARRISTERS AND SOLICITORS

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#### Ethical Wills

by Harry Thorsteinson

I never knew my father-in-law. He died suddenly a few months before my wife was born. I consider that to be a real loss, but a loss that pales in comparison to the loss suffered by my wife who grew up in a loving single parent home, but never knew her father. It was well into her adult life that my wife eventually started the process of grieving the loss of a parent she never knew.

One of her treasures and tragically, one of very few, is a comb that belonged to her father. RaeAnn holds on to that dearly and it is one of very few tangible items she has that belonged to her father. She really knows very little about who he was, what he believed in and why, his dreams and aspirations....

That comb leads to the subject of "ethical wills". What are they and do you have one? All lawyers, and I am no exception, will advocate that each of us should have our "houses in order" and a key component of that is the maintenance of current wills and powers of attorney. That can be the topic for another day.

But what about "ethical wills"? I quote from Dr. Dan Tobin in his foreword to Dr. Barry K. Baines' book entitled "Ethical Wills".\* Having experienced a childhood similar to that of my wife he writes:

*"I promised myself that my own children would never suffer such an absence in their lives. When I approached age forty, I took out a blank piece of paper and began to write a note to our sons explaining to them that if I were to die unexpectedly I wanted them to know who I was as a person and how my values had shaped our life together up until that point. I wanted them to have a direct communication from me that I had so longed from my own father"*

This simple, yet oh so powerful, letter to those that follow has become known as an "ethical will". Any of us can prepare one if we are prepared to take the time to do so. There really are no rules (and lawyers are not part of the equation!), although the book I refer to is designed to assist in the preparation of such a document. All one has to do is share your life experiences, your stories, favourite sport teams, hobbies, recipes and the like, and blend them with your moral and ethical standards. Voila, you have created a treasure that truly will be treasured long after the provisions of your legal will have been settled.

As we celebrate holidays such as Christmas, Ramadan, Hanukkah, together with a new year, we tend to reflect on our blessings. It is my challenge to myself and anyone, to take the time to create an ethical will . . . a gift from a father and father-in-law that would truly have been treasured in our family, along with a beautiful comb.

\*Ethical Wills, Barry K. Baines, MD Da Capo Press

*The foregoing is provided to you for information purposes only. We caution you to obtain legal advice specific to your situation in all circumstances.*

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