

Make the Law Work for You

Understanding legal options and taking action to ensure your wishes are followed are the first steps to guarantee that the legal system will work for you.

It is strongly recommended that anyone over the age of 18 have a will and power of attorneys for personal care and financial matters.

This brochure provides basic facts on wills, powers of attorney for personal care and property, and advance care directives/living wills.

You can:

1. write these documents yourself
2. obtain a kit to assist you
3. have a lawyer do it or review it

Lawyers usually deal with these areas of law and charge a fee for service.

Resources for Legal Issues

The following resources may be helpful for other legal issues that may arise.

Advocacy Centre for the Elderly

416-598-2656

www.advocacycentreelderly.org

This legal clinic specializes in Seniors' legal issues. They provide summary advice and representation to older people who cannot be served by their local clinic or private lawyer.

Halton Community Legal Services

North Halton 905-877-5256

South Halton 905-875-2069

www.canlaw.com/legalaid/clinics.htm

This organization is a community based legal clinic funded by Legal Aid Ontario to provide legal services for low-income individuals in Halton regarding tenants' rights (including residents in care homes), Canada Pension Plan and Old Age Security, social assistance and employment insurance law.

Lawyer Referral Service

1-900-565-4577

www.lsuc.on.ca/public/a/finding/lrs/

For a minimal cost of \$6 when you call, you can obtain the number of a lawyer who will meet with/call you for up to 30 minutes without charge, to give you advice on a particular issue.

Legal Aid

905-845-7591/1-800-387-4088

www.legalaid.on.ca

This organization assists with the costs of private lawyers' fees for low-income individuals by issuing a legal aid certificate that you can take to the lawyer of your choice. Seniors who receive the Guaranteed Income Supplement can also receive assistance to create a will.

Sponsored by the Elder Services Advisory Committee (ESAC)

What is ESAC?

ESAC is an advisory body to Halton Regional Council that provides information on seniors' issues so that Council can make informed decisions on behalf of the seniors of Halton.

What We Do/ESAC's Mission

ESAC's mission is to promote the well-being and quality of life for seniors in Halton.

Responsibilities

ESAC's main responsibilities include:

- Advisory
- Provide Information
- Community Partnership/ Research

For more information or a copy of the Halton Senior's Directory, contact

Halton Region

905-825-6000

Toll free: 1-866-442-5866

(1-866-4HALTON)

TTY: 905-827-9833

www.halton.ca



Legal Issues for Seniors



January 2008

Fast Facts

Elder Services Advisory Committee
(ESAC)



Legal Issues for Seniors

The legal documents listed in this brochure can help you to make your wishes known to those you care about.

It is important to keep these documents updated if there is a significant change in your life or if one of the people you have designated to act on your behalf is no longer willing or able to fill the role or if you wish to change the person you have designated to act on your behalf.

It is important that the people you appoint to act on your behalf have access to essential documents when they are needed. You can either give them a copy or tell them where the documents are located.

You must be mentally capable when you create any of these documents. For more information about mental capacity, contact:

- Ministry of the Attorney General, and Office of the Public Guardian and Trustee at 1-800-366-0335 or www.attorneygeneral.jus.gov.on.ca
- Community Legal Education Ontario (CLEO) at (416-408-4420) or www.cleo.on.ca

TOPIC	WHAT IS IT?	OPTIONS AND RESOURCES
Will	A signed document that provides directions about the distribution of your property after your death. It may designate a person(s) to carry out the instructions of the will.	Libraries have books on how to write a will. Packages can be obtained from stationery or book stores. Lawyers can be employed to write them or review them.
Continuing Power of Attorney (POA) for Property	A signed document that identifies a person(s) to act on your behalf with regards to your financial affairs, your home and anything else you own. You can specify when you want the person to act on your behalf such as when you are away on a trip or if you become mentally incapable or are otherwise unable to act on your own behalf.	For more information contact: <ul style="list-style-type: none"> • Community Legal Education Ontario (CLEO) at 416-408-4420 or www.cleo.on.ca (brochure) • Ministry of the Attorney General, and Office of the Public Guardian and Trustee at 1-800-366-0335 or www.attorneygeneral.jus.gov.on.ca or from your MPP. (Information and POA Kits available)
Power of Attorney (POA) for Personal Care	A signed document that identifies a person(s) to act on your behalf with respect to personal care decisions. Personal care decisions include decisions about your health care, medical treatment, diet, housing, clothing, hygiene and safety.	For more information contact: <ul style="list-style-type: none"> • Community Legal Education Ontario (CLEO) at 416-408-4420 or www.cleo.on.ca (brochure) • Ministry of the Attorney General, and Office of the Public Guardian and Trustee at 1-800-366-0335 or www.attorneygeneral.jus.gov.on.ca or from your MPP. Information and POA Kits available free of cost. <p>The Health Care Consent Act establishes a list of people who can make personal care decisions for you if you haven't appointed a POA for Personal Care. For decisions about medical treatment, the law requires your doctor and other health care professionals to get your or your substitute decision-maker's consent, before providing treatment.</p> <p>For more information contact:</p> <ul style="list-style-type: none"> • Office of the Public Guardian and Trustee 1-800-366-0335 or www.attorneygeneral.jus.gov.on.ca or from your MPP. • Canadian Mental Health Association at 1-800-875-6213 or www.ontario.cmha.ca/content/mental_health_system/legislation/health_care_consent_act.asp
Living Will/ Advance Care Directive	A signed document regarding your care and treatment that provides specific instructions to follow when serious medical problems require decisions that you are unable to make or communicate.	For more information contact: <ul style="list-style-type: none"> • Ontario Seniors' Secretariat at 1-888-910-1999 or www.citizenship.gov.on.ca/seniors/english/advancecare.htm • Copies of Guide to Advance Care Planning can be purchased from Dying with Dignity, at 1-800-495-6156 or www.dyingwithdignity.ca • Ministry of the Attorney General, and Office of the Public Guardian and Trustee at 1-800-366-0335 or www.attorneygeneral.jus.gov.on.ca/english/family/pgt/livingwills.asp (provides questions and answers section)