

Will Specific Questions:

Where is Willfora currently available?

Willfora is available in all provinces with the exception of Quebec and the territories (Yukon, NWT, Nunavut).

If I move provinces, do I need to update my Will?

Yes! Since some laws around Wills and estates change between provinces, it is always recommended to update your Will if you move between provinces or territories.

Can I use Willfora if I previously created a Will with a lawyer?

Yes! Since you can only have one valid Will at a time, your Will created with Willfora revokes all Wills and codicils that you have previously created. The same would happen if you had created a Will with Willfora or another online Will provider and then wanted to update it with a lawyer the next time you need to make changes.

Do I need to see a lawyer after creating a Will with Willfora?

No you don't! Regardless of whether your Will is drafted using an online service like Willfora or through a lawyer, you're creating an adult-witnessed Will. This means that you need two witnesses (refer to the first page of your Will for who these witnesses can and can't be) to sign and ensure that your Will becomes a legal document.

However, if you do require legal advisory, it's always recommended that you see a lawyer. While online services like Willfora can address the needs of the vast majority of people with simple estate requirements, there are some limitations where hiring a lawyer is necessary. The two main scenarios are in the case of having a dependent with special needs where a Henson Trust would need to be set up, or if you have what's called a "complex blended family", where multiple children from multiple marriages need to be listed in the Will.

Can I use an e-signature to sign my Will that I created with Willfora?

Wills created via Willfora must be signed by the testator (creator of the Will) and two witnesses using a wet signature, meaning it must be signed in person. Once you have created your Will document, the first page Will also go over who should not be present at the signing of the Will, and who your witnesses can be.

What happens if my witnesses predecease me?

After you pass away, the executor of your Will must prove that your Will was signed properly. To do this, at least one of your witnesses must confirm under oath that the Will was signed and

witnessed correctly, including confirmation that they were personally present, that the person who executed the Will is known to that witness, that the Will was executed at the place and on the date specified, and that all witnesses and the testator were of legal age.

If none of the witnesses can be located, or if they are no longer living at the time of probate, the validity of the Will can still be proven by a witness who can testify that the handwriting and signature of the testator (Will creator) are genuine.

Additionally, a more convenient approach is to have the witnesses sign under oath (in the presence of a Notary Public), called an “affidavit of execution”, which can then be appended to the Will. This is an optional step, but it eliminates the need for the witnesses to testify in court at the probating of the Will. To do this, you can contact a Notary Public in your local area while having one of your witnesses accompany you with your Will to swear under oath that the signing of your Will was conducted properly.

What does Willfora use my personal information for?

Except where required to do so by law, Willfora will not store your personal information in any physical or paper-based format. All data collected on Willfora.com is housed in Canada and has passed through bank-level security requirements, and none of that data is used for any purpose other than to notify partnered charities that gifts have been left to their organizations.

Additionally, when you generate your Will document after verifying your email, only one copy of the document is produced for that user, and Willfora will not retain any copies of it. If you would like to read further on this topic, you can read through Willfora’s [privacy policy](#).

What happens if I don’t have anyone reliable to be an executor?

Not everyone names an executor in their Will, and in those cases, a probate court (a specialized court that handles estate administration) will appoint an estate administrator to handle the duties of an executor.

However, it is recommended to name an executor in your Will to avoid the scenario where you pass away and your Will is not discovered. If this were to happen, you’ll be said to have died *intestate*, meaning your estate is treated as if you have died without a Will.

Financial institutions also have a service available where the family of the person who has passed away can appoint one of their advisors to work with the appointed executor and handle the administration of the estate. This typically happens in cases where the executor assigned refuses or is not fit to serve in the role.

In any case, it’s always encouraged to ask a loved one or friend if they will serve as your executor before naming them in your Will. If they agree to serve as the executor, they will also need to know the location of your Will.

Legacy Giving Questions:

Can I split my gift between multiple charities?

Absolutely you can! All CRA registered charities are listed in Willfora's database, so you can search for as many as you want. If you are creating your Will and can't find the charity you're looking for through searching for it, please contact hello@willfora.com to have the charity added.

Is it recommended to donate property or heirlooms to a charity?

Before donating property or heirlooms, it's always recommended to have a conversation with a representative from the charity first. These types of gifts are unique to the charity needs, so some charities will accept them and others will not be able to. The last thing you want in this scenario is to donate something to a charity that cannot accept it, so that's why it's always encouraged to speak with the charity before updating your Will.

Can you specify a gift to a fund at the charity using Willfora?

This again is dependent on the funds that charities have available, but it is possible to do via Willfora. In the "Leave a Legacy" section of the app, you can add a message to a chosen charity to give them more information on any wishes or intentions you have with your gift. This will not be included in the Will, but it can help them start a conversation to make that wish a reality when they call or email you to thank you for your legacy gift.

The issue that charities often run into around designating gifts are in cases when a legacy donor has passed away and the fund that they've left the gift to no longer exists or is over-funded. In these cases, the charity cannot use those funds.

In either case, it's always recommended to have a conversation with the charity before leaving a gift in your Will to determine which area of funding suits your values best, and whether gift designations are available at that charity.

What happens if the charity no longer exists at the time of a person's passing?

If the charity no longer exists, the gift you've left will be void. Ensuring that you are up to date with what is going on at the charity you've chosen is the best way around this. If you've created your latest Will with Willfora, then you can always come back and update it to change your legacy gifts if you become aware that one of your chosen charities has closed.

Does it make a difference if a gift is left for a chapter that has a national organization associated with it?

National charities with chapters in most cases will set up the chapters as separate charities, specified through separate charitable registration numbers. If you do want to leave a gift to a chapter, it's best to ensure that you have the right organization name and charitable registration number, which can be found by searching for it on the [CRA list](#) or through speaking to the charity.

Please note though that if you leave a gift to a specific chapter and it closes, then those funds will go straight back to your family as opposed to the national organization, since the registration numbers are different.