

Decision-Making Options and Legal Services

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DECISION-MAKING OPTIONS

There are a variety of options for decision-making, which can range from advanced planning through to full legal guardianship. Below is a description of the various choices an individual may have:

1. Options for Advance Planning

Personal Directive – a legal document that allows you to name an individual(s) you trust to make personal decisions on your behalf, in the event that you are unable to yourself.

Power of Attorney – a legal document that allows you to name an individual(s) you trust to make financial decisions on your behalf, either immediately, or in the event you are unable to make these decisions yourself.

Supported Decision-Making – allows you to name an individual(s) to obtain personal information on your behalf that may help you in making decisions.

Will – a legal document that you provide a statement about how to divide your property (also known as 'estate') after death. A will must be in writing, and does not take effect until you die.

2. Options for when Capacity is lost* and advance planning options are not in place.

Specific Decision-Making – health professionals are able to designate an individual to make specific, time-limited personal decisions on your behalf in the event that you are unable to.

Co-Decision Making – allows an individual, assessed as significantly impaired, to consent to a Court order appointing a trusted person(s) as his or her co-decision maker. The order requires the adult to make personal decisions with his or her co-decision maker.**

Guardianship – A guardian appointed by the court has the legal responsibility to make decisions for an adult who lacks the capacity to make specific personal decisions. Usually a family member or friend acts as a 'private' guardian. If no one is able, willing, or suitable, the Public Guardian may act as the adult's guardian.**

Trusteeship – A trustee, appointed by the Court, has the legal responsibility to make financial decisions for an adult who lacks the capacity to make financial decisions. Usually a family member or friend acts as 'private' trustee. If no one is able, willing, or suitable, the Public Trustee may act as trustee.**

Informal Trusteeship – arrangements that allow an individual to have authority to assist with financial decisions for an adult who lacks that capacity, or where the adult has minimal assets and needs help managing a government cheque. These arrangements are made with the government department issuing the cheque such as AISH, OAS, Veterans Affairs, etc.

* Capacity may be lost either temporarily or permanently. Capacity is determined by a physician or psychologist.

Decision-Making Options and Legal Services

**The type of court application is based on recommendations made in a Capacity Assessment Report, completed by a health professional or trained Capacity Assessor.

Information about legislation that governs these various decision-making options, Personal Directives, Guardianship and Trusteeship applications, and Self-Help Kits is available at

www.seniors.alberta.ca/opg/.

Or contact staff in the Guardianship Program at **Sage**, 780.701.9006.

Sage Guardianship Program is funded by the Office of the Public Guardian, a Department of Alberta Seniors and Community Supports, to provide information to the public under the direction of the Adult Guardianship and Trusteeship Act and the Personal Directives Act.

Information sessions are held on a regular basis and recommended for anyone considering a private guardianship, trusteeship or co-decision making application using the Self-Help Kits developed by the Office of the Public Guardian.

Sage offers some assistance with these court applications.

Sage provides information about advanced planning, including Personal Directives, Power of Attorney documents and Wills. **Sage** also provides information about Specific Decision-Making, Supported Decision Making and Informal Trusteeship. Call 780.701.9006 for more information.

*Like a lot of fellows around here,
I have a furniture problem.
My chest has fallen into my drawers.
– Billy Casper, about golf's Senior Tour*

Office of the Public Guardian

Seniors & Community Supports
4th Floor, 9942 108 St. NW T5K 2J5
Phone: 780.427.0017

The Office of the Public Guardian has offices across the province. To be connected to any of the offices toll-free, call 310.0000. You can also contact the Office of the Public Guardian toll-free by calling 1.877.427.4525.

- May be appointed legal guardian for dependent adults when no one else is willing, able or suitable.
- Funds Guardianship Program at **Sage** – Seniors Association of Greater Edmonton. For more information, phone 780.701.9006.

Office of the Public Trustee

Alberta Justice
4th Floor, 10365 97 St. T5J 3Z8
Phone: 780.427.2744

Email: cindy.bentz@gov.ab.ca

justice.gov.ab.ca/public_trustee/

- Office manages the estates and financial affairs of represented adults, deceased estates, and minors' property.
- Has involvement with victims of crime and elder abuse.
- Operates province-wide.

*The answer to old age is to keep one's
mind busy and to go on with one's life
as if it were interminable.
I always admired Chekhov for
building a new house when he was
dying of tuberculosis.
– Leon Edel*

LEGAL SERVICES

You would likely want to consult a lawyer

- if you are purchasing a home or a business, want to draft a will, personal directive or power of attorney document, incorporate, or form a partnership contract, or are being sued by someone, or are charged with a criminal offence.

Lawyers are able to do many things and engage in a wide range of activities in order to meet their particular client's needs, but they also have ethical obligations and specific obligations to clients. A lawyer's principal responsibility is to see that each client obtains the benefit of his or her legal rights and is aware of his or her legal obligations. In approaching this duty, lawyers have three fundamental obligations. They must serve clients competently, be completely loyal to clients and keep client communications confidential. The services lawyers can provide include: answering legal questions, helping clients find an answer, appearing in court on a client's behalf, mediating disputes, counseling clients, planning estates, administering wills, drafting contracts, writing letters and opinions, taking steps to avoid litigation, negotiating settlements and providing advice about clients' legal problems.

Alberta Law Society phone:

1.800.661.1095

www.lawsociety.ab.ca/public/public_faqs.aspx

Alberta Human Rights Commission

800 Standard Life Centre

10405 Jasper Ave. NW T5J 4R7

Confidential Inquiry Line: 780.427.7661

www.albertahumanrights.ab.ca

- Receives and resolves complaints from the public related to protected areas and grounds under the Alberta Human Rights Act.
- Provides confidential inquiry service & education resources to help individuals and organizations combat discrimination.
- The Human Rights Citizenship and Multiculturalism Education Fund provides financial assistance for special projects that foster equality and reduce discrimination.

Alberta Registries

Phone: 780.427.7013

www.servicealberta.gov.ab.ca

- If you require a birth or death certificate or marriage license, you may apply through a Registry Agent. You will be required to present Identification and meet eligibility requirements. Fees will apply.
- Registry Agents can be found by looking in the Yellow Pages under License and Registry Services, on the web site or at the above phone number.

Commissioners for Oaths

Alberta Registries Offices

Phone: 780.427.7013

www.servicealberta.gov.ab.ca

- A Commissioner for Oaths may be available in a registry office. Call ahead to ensure one is available and if there are any fees for the service.
- Registry Agents can be found by looking in the Yellow Pages under License and Registry Services, on the web site or at the above phone number.

Decision-Making Options and Legal Services

Dial-A-Law

Calgary Legal Guidance Office
100- 840 7th Ave. SW Calgary, AB T2P 3G2

Phone: 403.234.9266

Toll Free: 1.800.332.1091

Email: clg@clg.ab.ca

www.clg.ab.ca/dialalaw.htm

Hours of Operation: 24 hours daily from-
touch-tone phone,

Operator assistance Mon to Fri 8:30 am to
4:30 pm

- Offers over 140 pre-recorded legal messages that you listen to over the phone.
- Tapes are available in areas of law including criminal, family, consumer, wills, landlord/tenant and courts.

Edmonton Community Legal Centre

10056 101A Ave. NW T5J 0C8

Contact: Catherine Tan

Phone: 780.702.1725

Email: intake@eclc.ca

www.eclc.ca

Hours of Operation: 8:30 am to 4:30 pm

- Provides free legal advice, representation and legal education to low income people.
- Clinic appointments are with volunteer lawyers who provide legal advice.
- Services include legal assistance with civil matters, debt problems, employment issues, human rights, immigration, landlord and tenant issues & income support issues. We do not provide legal assistance in the areas of family and criminal law.

LINC (Law Information Centre)

1A Sir Winston Churchill Square,
2nd floor south,

Alberta Law Society Library

Phone: 780.644.8217

www.albertacourts.ab.ca/linc

The Law Information Centre can give you information about civil and criminal matters, explain what court forms can be used, explain the steps to take in legal applications, and refer you to legal services and other resources in the community.

Law Society of Alberta

Lawyer Referral Service

Toll Free: 1.800.661.1095

Calgary office: 403.228.1722

- A Lawyer Referral Operator will answer. After being advised of the nature of the problem, or the area of law of concern, the Operator will provide names and telephone numbers of three practising lawyers .
- There is no charge for the first half-hour interview, after which the member of the public can decide whether or not to engage the lawyer at full fee and the lawyer can decide whether to accept the engagement.

Legal Aid Alberta - Legal Services Centre

#300 Revillon Bldg.

10320 102 Ave. NW T5J 4A1

Phone: 780.427.7575

Toll Free: 1.866.845.3425

www.legalaid.ab.ca

Hours of Operation:

Mon-Fri, 8:00 am - 4:30 pm*

**Walk-in clients seen Mon-Thurs only*

- Legal Aid Alberta (LAA) provides a

range of legal services to low-income Albertans in a number of areas of law including family, civil, and criminal.

- Clients may receive legal information, referrals or brief advice from a lawyer.
- Coverage is based on financial eligibility.

Legal Resource Centre (LRC)

#201, 10350 124 St. T5N 3V9

Phone: 780.451.8764

Contact: Kirsten Wurmman

Email: info@legalresourcecentre.ca

www.legalresourcecentre.ca

The LRC is a public legal education organization creating access to legal information through plain language websites, and resources.

Publications available for free from the Older Adult Knowledge Network (OakNet) at www.oak-net.ca include:

- Abuse of Older Adults – FAQs
- Planning for the Future Series
- Seniors' Housing Series

Other sites related to Seniors and the Law are accessible from the LRC's main website.

Office of the Appeals Advisor

#500, 10621 100 Ave. NW T5J 0B3

Phone: 780.498.8640

Toll Free: 1.866.922.9221

Email: appealsadvisor@wcb.ab.ca

- Not satisfied with the decision on your WCB claim? Need help? Call the Office of the Appeals Advisors.
- Provides independent advice on whether your claim has grounds for review. Provides experienced assistance in preparing and presenting your case for review

and/or appeal.

- No charge for service.

Sage Seniors Legal Clinic

Sage provides a Seniors Legal Clinic, in collaboration with the Edmonton Community Legal Centre. Lawyers, who volunteer their time, are available once a month at **Sage** to provide free information and assistance in specific legal matters. This includes drafting Personal Directives and Power of Attorney documents, Landlord and Tenant issues, Immigration law and Small Claims. Services are based on income eligibility, and are not available for wills, criminal or family legal matters. Call **Sage** to find out more: 780.701.9009.

Student Legal Services of Edmonton (SLS)

11011 88 Ave. NW T6G 0Z3

Phone: 780.492.2226

Contact: Lori-Ann Behiels

Email: sloed@ualberta.ca

www.slsedmonton.com

- Student Legal Services of Edmonton is a non-profit society dedicated to assisting low-income individuals to understand legal issues and solve legal problems.
- SLS is divided into four different projects: civil/family, criminal, legal education & reform, pro bono students Canada.

Sage Seniors' Safe House

There is a shelter
Call 780.702.1520

Decision-Making Options and Legal Services

Victims' Assistance Program

Edmonton John Howard Society Family Violence Prevention Centre

L2 Law Courts

1A Sir Winston Churchill Sq. T5J 0R2

Phone: 780.422.0721

Email: vap@johnhoward.org or

info@johnhoward.org

www.johnhoward.org

A free service offered by Edmonton John Howard Society located in the Edmonton Law Courts Building. Provides information and emotional support to victims of family violence going through the criminal court process. Information on Victim Impact Statement, Financial Benefit program, and Restitution program.

LEGAL FIRMS

Bishop & McKenzie L.L.P.

Barristers & Solicitors

#2500, 10104 103 Ave. NW T5J 1V3

Phone: 780.426.5550

Contact: Wanda Fawcett

Hours of Operation:

8:00 am - 5:00 pm- Mon to Fri

Email: w.fawcett@bishopmckenzie.com

www.bishopmckenzie.com

- Bishop & McKenzie LLP is a full service law firm that has been providing legal services to Albertans since 1905.
- We can assist with all legal matters including: wills, enduring powers of attorney, personal directives, estate administration, estate planning, guardianship, trusteeship, real estate, tax, business and family law matters.

Reynolds Mirth Richards & Farmer LLP

3200 Manulife Place

10180 101 ST T5J 3W8

Contact: Doris Bonora

Phone: 780.497.3370

Email: dbonora@rmrf.com

www.rmrf.com

Hours of Operation: 8:00 am to 5:00 pm

- RMRF LLP is an Edmonton-based law firm. Our lawyers have been achieving excellence since 1915, providing high caliber legal representation to local, national and international clients.
- Our Wills, Estate & Trust Team is well versed in all aspects of estate planning and estate related matters. Our prompt and efficient service can help provide you and your family the peace of mind that comes with well-advised planning and estate administration.



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**Reynolds
Mirth
Richards
& Farmer LLP**

BARRISTERS SOLICITORS

MEET OUR WILLS, ESTATE & TRUST TEAM

Call us for advice on:

- Wills, Enduring Powers of Attorney, Personal Directives
- Trust Agreements
- Probate
- Challenges to Wills
- Guardianship & Trusteeship
- Prenuptial & Cohabitation Agreements



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Shelly Chamaschuk
780.497.3364
schamaschuk@rmrf.com

www.rmrf.com

1.800.661.RMRF

MEDIATION

Mediation and Restorative Justice Centre

#430, 9810 111 St. NW T5K 1K1

Phone: 780.424.0896

Email: mrjc@mrjc.ca

www.mrjc.ca

All services are provided at no cost to participants. MRJC helps people have difficult conversations and find mutually agreeable solutions to conflict.

This conflict may involve:

- Problem with a neighbour
- Dispute in an association, board or condo group
- Abuse among couples, in a family or with elderly parents
- Victimization by a crime

We also offer conflict communication

workshops to increase ones' knowledge and tools on how to approach difficult situations.

Sage - Senior Association of Greater Edmonton, would like to thank all the business and organizations that advertise in the Directory of Senior Services 2011.

Your support for this important community resource is very much appreciated

Middle age is the time when a man is always thinking that in a week or two he will feel as good as ever.

- Don Marquis



www.bishopmckenzie.com



**BISHOP
& MCKENZIE**

Barristers & Solicitors

Wills, Powers of Attorney,
Personal Directives,
Guardian/Trustee Matters,
Estate Planning and
Estate Administration

Wanda Fawcett

Ph: (780) 421 2476

Toll Free: 1 800 406 5758

Email: [w.fawcett@](mailto:w.fawcett@bishopmckenzie.com)

bishopmckenzie.com