

# Annual Legal Health Check-up

## How is your legal health?

Most people would agree that visiting a doctor before you are sick is preferable to seeking medical treatment after you become ill. The same goes for dealing with legal matters.

How is your legal health? See below for a non-exhaustive list of common legal issues people consult lawyers about in their personal and business affairs. You should consult a lawyer if any of these issues apply to you, a loved one or friend. Think of it as the legal version of your annual medical check-up. When meeting with a lawyer, please communicate all issues of concern to you.

Don't wait until a crisis arises. Like many other things in life, dealing with legal issues before they become serious is always better as it will be less stressful and costly.

### ***Business Matters***

#### **Business Law**

- Have you been asked to:
  - Act as a consignor or guarantor for another person's debt?
  - Indemnify another party?
  - Provide financing to a business, providing collateral for a business loan?
- Have you been asked to incorporate a business or enter into a partnership?
- Are you considering starting a business venture or have you done so recently?
- If you carry on business as a sole proprietor or in partnership is it time to incorporate?
- Do you have a partnership agreement or shareholders agreement for your business?
- If you are an artist, writer or musician, do you to protect the rights to your work?
- If you invented something, do you know how to protect it while you promote it or try to get it manufactured?

#### **Employment Law**

- Do you manage or own a business?
- Do you have full-time or part-time employees?
- Are you an employee or an independent contractor? They are quite different.
- Are you having any difficulties at work, either with employers, supervisors or co-workers?
- Are you concerned about your rights or benefits in the workplace?

### ***Personal Matters***

#### **Family Law**

- Are you married or living common-law or have you done so recently?
- Has a child been borne into your common-law relationship?
- Have you separated or divorced recently or are you thinking about it?
- Do you have minor age or adult but dependent children?
- Are you caring for a parent, sibling or other any dependent?
- Are you caring for anyone with special needs?
- Are you considering adoption?
- Are you considering acting as a foster parent?
- Are you considering applying to the court for the legal guardianship of a child?
- Are you considering alternative reproduction techniques such as surrogate maternity, sperm adoption, egg donation, either as a recipient or as a donor/surrogate?

#### **Wills and Estates Law**

- Do you have a properly drafted will that accurately reflects your current wishes?
- Do you have any virtual property or rights which should be added to your will?
- Do you have a properly drafted current Power of Attorney for Property?
- Do you have a properly drafted current Power of Attorney for Personal Care?
- Has anyone in your family passed away recently?
- Have you registered to be an organ donor?

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### **Immigration / International Law**

- Are you taking a child out of the country without both parents in attendance?
- Are you a permanent resident or landed immigrant considering applying for citizenship?
- Are you considering sponsoring foreign nationals seeking to immigrate to Canada?
- Are you intending to retain foreign citizenship but wondering how your access to Canadian and Provincial government services will be affected?
- Are you planning to leave Canada temporarily for work or other reasons and have questions about the status of your citizenship, residency or income tax obligations, or the status of your Canadian assets while you are outside Canada?

### **Real Property Law**

- Are you thinking of buying, financing or selling real estate?
- Do you already own a home or other property either alone or with someone?
- Is your mortgage due to be renewed?
- Do you have a secured line of credit?
- Are you thinking of building on some land or renovating an existing building?
- Do you own or are you considering buying real estate in another country?
- Are you operating your business out of your home?
- Are you having any boundary, easement or usage issues with neighbours?
- Are you renting out part of your home, or renting out another property?
- Are you a tenant?
- Do you know how to reduce the chances of becoming a victim of a fraud?
- Do you have title insurance for any title, survey or other covered defects or fraud?

### **Personal injury**

- Have you been injured by someone or have you had an accident?
- Have you been blamed of having injured someone on your property or elsewhere?
- Are you concerned about any medical treatment you or a loved one has received?
- Are you receiving or managing payments under a structured damages settlement in respect of a person who is a minor and about to reach the age of majority?

### **Criminal Law**

- Have you been charged with an offence requiring you to appear before a court?
- Are you interested in finding out how to obtain a pardon for past criminal offences?
- Have you or a family member done something that is worrying you? You can talk to a lawyer in complete confidence and benefit from the right of solicitor-client privilege.

### **Other Matters**

- Are you being sued or believe you may need to sue someone?
- Has any traumatic event happen to you or a loved one recently?
- Do you have a pet (e.g., pit bull terrier, monkey) to which special restrictions apply?
- Have you suffered a loss as a result of such professional services as legal, accounting, tax planning, work of a contractor, alternative health practitioner, and so on?

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*If any of these or other legal issues apply to you, please feel free to contact me to discuss them. If there is no need for legal assistance, I will advise you of that. If there are reasons for exploring the matter further, I will explain why so that you can make an informed decision.*

