

**From:** [communications@lawpro.ca](mailto:communications@lawpro.ca)  
**To:** [Tim Lemieux](#)  
**Subject:** [LAWPRO Webzine] New resources for Wills & Estates lawyers  
**Date:** September 17, 2024 1:55:17 PM

Trouble viewing this email? [Read it online](#)

# LAWPRO® Webzine

## New practicePRO resources for Wills & Estates lawyers

LAWPRO and practicePRO are here to help you provide your clients with the highest quality of legal services.



### What sort of Wills & Estates claims do we see at LAWPRO?

We've put together this video of claims stories and tips on how lawyers can best avoid such claims in the future.

[Watch the video](#)

### Spooky Stories with LAWPRO: The case of the delayed will

There's nothing scarier than a



malpractice claim, so gather 'round the campfire for the true-life tale of terror that one lawyer encountered when their client passed before completing their will...

[Read the true tale if you dare](#)

---



## Questions and answers about the changing practice of Wills & Estates law

With changing demographics, Wills and Estates law will be even more in-demand in the years to come. We want to give lawyers tools and resources to keep up with this demand, so we brought together leading experts to discuss the changes we expect to see.

[Read the article](#)

---

## Stay ahead of claims with our Wills & Estates fact sheet

Malpractice claims in Wills & Estates have increased steadily over the last decade, nearly doubling in frequency. LAWPRO has collected the most common

## COMMON MALPRACTICE ERRORS

### Inadequate investigation - 38%

- Failure to ask the testator what their assets are
- Failure to ask about the existence of a prior will
- Not digging into more detail about the status of past marital relationships, other children or stepchildren, or whether a spouse is a married spouse or common law spouse

### Communication - 25%

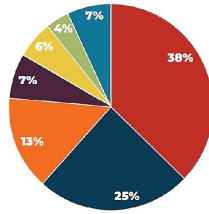
- Failure to compare the draft will with the instructions notes to ensure consistency
- Failing to ensure that the client understands what you are telling them and that you understand what they are telling you, particularly if there is a language barrier
- In estate litigation: failing to communicate and document settlement options

### Errors of law - 13%

- Not being aware of key provisions of the Income Tax Act (and not obtaining the appropriate tax advice)
- Drafting a complex will involving sophisticated estate planning when you do not have the necessary expertise
- Failing to properly execute documents

### Time management - 7%

- Missing the six-month deadline for making an election and issuing the necessary application under Section 6 of the Family Law Act
- Delay in preparing a will
- Delay in converting assets into cash in an estate



Visit [practicepro.ca](http://practicepro.ca) for resources including LAWPRO Magazine articles, checklists, precedents, practice aids and more

We can provide knowledgeable speakers who can address claims prevention topics. Email [practicepro@lawpro.ca](mailto:practicepro@lawpro.ca)

causes of errors, along with tips to avoid claims, in one easy-to-use tool.

[See the fact sheet](#)



FOLLOW US

**LAWYERS' PROFESSIONAL INDEMNITY COMPANY (LAWPRO)**

**250-3101 YONGE STREET, TORONTO, ONTARIO, M5B 2L7**

**Questions about the webzine? contact us at [communications@lawpro.ca](mailto:communications@lawpro.ca)**

[communications@lawpro.ca](mailto:communications@lawpro.ca)  
3101 - 250 Yonge St.  
Toronto Ontario M5B 2L7  
Canada

This email is intended for [tim.lemieux@lawpro.ca](mailto:tim.lemieux@lawpro.ca).

[Unsubscribe](#)