

# Will Execution by Video Checklist

In order that your Will is valid under Ontario Law, it must be executed according to the following strict rules. **Failure to follow these steps may make your Will invalid.**

Please initial each step of this checklist as you follow the steps to ensure that you are correctly executing the Will.

WILL-MAKER'S NAME

ITEMS	Initial
<p>1. The Will-maker and 2 witnesses must all be:</p> <ul style="list-style-type: none"> <li>a. Using audio-video technology at the same time; and</li> <li>b. Able to see and hear one another when the Will is signed.</li> </ul>	
<p>2. <b>One of the 2 witnesses must be a “licensee” of the Law Society of Ontario.</b></p> <p>a. Witness 1</p> <ul style="list-style-type: none"> <li>i. Name: _____</li> <li>ii. Address: _____</li> <li>iii. Email Address: _____</li> <li>iv. Occupation: _____</li> <li>v. Not a Beneficiary: (Check to confirm) <input type="checkbox"/></li> <li>vi. Not the Spouse of a Beneficiary: (Check to confirm) <input type="checkbox"/></li> </ul> <p>b. Witness 2 (Law Society of Ontario Licensee)</p> <ul style="list-style-type: none"> <li>i. Name: _____</li> <li>ii. Home Address: _____</li> <li>iii. Email Address: _____</li> <li>iv. LSO #: _____</li> <li>v. Not a Beneficiary: (Check to confirm) <input type="checkbox"/></li> <li>vi. Not the Spouse of a Beneficiary: (Check to confirm) <input type="checkbox"/></li> </ul>	

## Video-Conference #1 – Will-maker

<p><b>3. All of the 3 participants join the same video-conference #1 at the same time.</b></p>	
<p><b>4. Confirm that each can see and hear one another - sound and video are on and transmitting.</b></p>	
<p><b>5. Obtain verbal consent from participants to record the process.</b></p>	
<p><b>6. Turn on Recording Feature of video-conference.</b></p>	
<p><b>7. Confirm Date and Time:</b></p> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="border: 1px solid black; width: 150px; height: 30px;"></div> <div style="border: 1px solid black; width: 80px; height: 30px;"></div> </div>	
<p><b>8. Have each participant identify themselves by holding up a piece of ID to the camera.</b></p>	
<p><b>9. Confirm that no one else is present with the Will-maker who may be a beneficiary or who may be influencing the Will-maker.</b></p>	
<p><b>10. Provide <u>Instructions to Will-maker</u> and follow this Process:</b></p> <ol style="list-style-type: none"> <li>a) Hold up first page to the camera.</li> <li>b) Have each of the 2 witness confirm that they see it.</li> <li>c) Place your initials in the bottom right corner of each page.</li> <li>d) Hold up the first page to the camera to show initials.</li> <li>e) Have each of the 2 witness confirm that they see it.</li> <li>f) Repeat process for each page until the last page.</li> <li>g) On last page - insert today's date where indicated.</li> <li>h) Place your initials next to the date, if handwritten.</li> <li>i) Sign with your regular signature on the last page where indicated. (Normal Signature = the signature you would use for a cheque- you don't need to sign with middle names if you don't normally do so).</li> <li>j) Hold up the last page to the camera to show signature.</li> <li>k) Have each of the 2 witness confirm that they see it.</li> </ol>	
<p><b>11. Save Recording of Video Conference</b></p>	
<p><b>12. Arrange to have originally signed Will delivered to Witness 1 (non- LSO licensee).</b></p>	

## Video-Conference #2 – First Witness

<p><b>13. When Witness 1 receives the Will, contact lawyer to arrange for Video-conference #2.</b></p>	
<p><b>14. All of the 3 participants join the same Video-conference #2 at the same time.</b></p>	
<p><b>15. Confirm that each can see and hear one another- sound and video are on and transmitting and Identify each participant.</b></p>	
<p><b>16. Obtain verbal consent from participants to record the process.</b></p>	
<p><b>17. Turn on Recording Feature of video-conference.</b></p>	
<p><b>18. Confirm Date and Time:</b></p> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div data-bbox="297 953 915 1033" style="border: 1px solid black; width: 300px; height: 30px;"></div> <div data-bbox="977 953 1203 1033" style="border: 1px solid black; width: 100px; height: 30px;"></div> </div>	
<p><b>19. Provide <u>Instructions to Witness 1</u> and follow this Process:</b></p> <ol style="list-style-type: none"> <li>a) Hold up first page to the camera.</li> <li>b) Have the Will-maker and Witness 2 confirm that they see it.</li> <li>c) Place your initials in the bottom right corner of each page.</li> <li>d) Hold up the first page to the camera to show initials.</li> <li>e) Have the Will-maker and Witness 2 confirm that they see it.</li> <li>f) Repeat process for each page until the last page.</li> <li>g) Place your initials next to the date, if handwritten.</li> <li>h) Print your name under the signature line.</li> <li>i) Insert today's date beside your witness line.</li> <li>j) Sign with your regular signature on the last page where indicated.</li> <li>k) Hold up the last page to the camera to show signature.</li> <li>l) Have the Will-maker and Witness 2 confirm that they see it.</li> </ol>	
<p><b>20. Save Recording of Video Conference.</b></p>	
<p><b>21. Arrange to have originally signed Will delivered to Witness 2 (LSO licensee).</b></p>	

## Video-Conference #3 – Second Witness

<p><b>22. When Witness 2 receives the Will, arrange for Video-conference #3.</b></p>	
<p><b>23. All of the 3 participants join the same Video-conference #3 at the same time.</b></p>	
<p><b>24. Confirm that each can see and hear one another- sound and video are on and transmitting and Identify each participant.</b></p>	
<p><b>25. Obtain verbal consent from participants to record the process.</b></p>	
<p><b>26. Turn on Recording Feature of video-conference.</b></p>	
<p><b>27. Confirm Date and Time:</b></p> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div data-bbox="297 909 915 989" style="border: 1px solid black; width: 380px; height: 38px;"></div> <div data-bbox="976 909 1203 989" style="border: 1px solid black; width: 140px; height: 38px;"></div> </div>	
<p><b>28. Provide <u>Instructions to Witness 2</u> and follow this Process:</b></p> <ul style="list-style-type: none"> <li>a) Hold up first page to the camera.</li> <li>b) Have the Will-maker and Witness 1 confirm that they see it.</li> <li>c) Place your initials in the bottom right corner of each page.</li> <li>d) Hold up the first page to the camera to show initials.</li> <li>e) Have the Will-maker and Witness 1 confirm that they see it.</li> <li>f) Repeat process for each page until the last page.</li> <li>g) Place your initials next to the date, if handwritten.</li> <li>h) Print your name under the signature line.</li> <li>i) Insert today's date beside your witness line.</li> <li>j) Sign with your regular signature on the last page where indicated.</li> <li>k) Hold up the last page to the camera to show signature.</li> <li>l) Have the Will-maker and Witness 1 confirm that they see it</li> </ul>	
<p><b>29. Save Recording of Video Conference</b></p>	
<p><b>30. Lawyer prepares Affidavits of Execution – Video witnesses:</b></p> <ul style="list-style-type: none"> <li>a) Affidavit of Execution of Witness 1.</li> <li>b) Affidavit of Execution of Witness 2.</li> </ul>	