



Family Law & Mediation

Is my Will still valid once my divorce has been finalized?

Yes – If you made your Will during your marriage, the fact of getting a divorce does not invalidate your Will. Therefore, if you have made provisions for your soon-to-be-ex -husband or -wife, your estate will be distributed in accordance with your existing Will.

Likewise, if you have designated beneficiaries in 3rd party contracts such as life insurance, RRSPs, pension plan, etc., your divorce has no effect on the designations.

My advice to all of my clients – update your Will and your designated beneficiaries as soon as possible upon separating or divorcing.

By contrast, although a divorce does not affect your Will per se, a marriage does invalidate your Will unless you state that have made your Will in specific contemplation of your marriage. For example, if you would like to make provisions for your soon-to-be

–husband or –wife, you must specifically state in your Will (1) that you are making this Will in contemplation of your marriage to so-and-so, and (2) whether you intend your Will to be valid only if the marriage occurs, or regardless of whether the marriage occurs.

Feel free to contact Stephanie to answer your questions or to set up a consultation.



COLLABORATIVE
PRACTICE

Resolving Disputes Respectfully



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