

## But for the Plan

### (Estates - Estranged Daughter)

Ms. Smith (not her real name) was distraught when she visited Jonathon Dick at our St. Catharines office. It was understandable. Her 20 year old daughter, from whom she had been estranged for several years, had just died.

Their relationship had been strained ever since Ms. Smith separated from the deceased's father. The situation was also fraught with mental and physical illnesses. Although she desperately wanted to reconcile with her daughter, several attempts to contact her were unsuccessful.

Ms. Smith wanted to know the cause of her daughter's death and what her life was like during the past few years. She also wanted to have a portion of her daughter's ashes, which were currently held by the funeral home. (But for our early intervention, the funeral home would have released the ashes to the deceased's father.)

Her daughter died without a Will, and she had no children. Therefore, both parents had equal rights to her estate. We sent letters to Ms. Smith's ex-husband requesting a division of the ashes as well as a request for information. He did not reply.

We then applied to obtain, for our client, a Certificate of Appointment of Estate Trustee Without a Will, which the Court granted. Upon receipt of the Certificate, Ms. Smith was then able to obtain the ashes, a police report, and a coroner's report.

Although the wounds may never completely heal, our client felt she obtained some helpful information and a measure of closure that was well worth what she paid for our services (under \$200) . But for the Plan, the cost of so doing may have been prohibitive.