

# WILLS & INCAPACITY

**BASED ON FINDINGS FROM THE EVERYDAY LEGAL PROBLEMS AND THE COST OF JUSTICE IN CANADA SURVEY:**

Within a three-year period, about 750,000 Canadians over the age of 18 experience one or more serious problems involving a will or taking care of financial or health issues for a person who is not able to look after themselves.

*Of the wills and incapacity problems experienced by Canadians:*

**ABOUT  
314,000** involve problems **settling a will.**

**ABOUT  
99,000** involve problems **settling an inheritance in which there is no will.**

**ABOUT  
388,000** involve problems **managing financial matters for someone who is unable to do this on their own.**

**ABOUT  
446,000** involve problems **managing the medical care of someone who is unable to look after himself or herself.**



For more information, please visit,  
Canadian Forum on Civil Justice, "Cost of Justice," online: <[www.cfcj-fcjc.org/cost-of-justice](http://www.cfcj-fcjc.org/cost-of-justice)>

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*“This research ... by the Canadian Forum on Civil Justice will be essential in helping us understand the true extent of the problem of cost and how it impacts on the justice system. I believe that it will prove to be of great assistance to ... identify concrete solutions to the problem of access to justice.”*

– The Right Honourable Beverley McLachlin, P.C., Chief Justice of Canada (2011)

The Canadian Forum on Civil Justice is a national not-for-profit organization dedicated to civil justice reform and access to justice research and advocacy. Established by the Canadian Bar Association and affiliated with Osgoode Hall Law School, the CFCJ envisions an accessible, sustainable and effective justice system for all Canadians.

**Overview of the Cost of Justice project.** The Cost of Justice project (2011-2017) examines the social and economic costs of Canada’s justice system. It is guided by two questions: What is the cost of delivering access to justice? And what is the cost of not delivering access to justice? Comprised of leading researchers investigating various dimensions of access to justice and cost across the country, the Cost of Justice project is producing empirical data that will inform the future of access to justice in Canada and abroad. The lead research team includes: Trevor C.W. Farrow (Principal Investigator), Nicole Aylwin, Les Jacobs, Lisa Moore, and Diana Lowe.

The Cost of Justice project is funded by a \$1 million grant from the Social Sciences and Humanities Research Council of Canada. For more details please visit Canadian Forum on Civil Justice, “Cost of Justice”, online: CFCJ <[www.cfcj-fcjc.org/cost-of-justice](http://www.cfcj-fcjc.org/cost-of-justice)>.



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