

Choosing now for the future

Personal Directives



A personal directive is a legal document you write in case you cannot make your own personal decisions in the future.



Seniors and Community Supports
Office of the Public Guardian

What is a personal directive?

- ◆ A personal directive is a legal document which you can write in case something happens and you cannot make your own personal decisions in the future.
- ◆ A personal directive lets you choose another person, an agent, to act on your behalf and make decisions for you when you cannot make them yourself.
- ◆ A personal directive lets you provide written instructions for decisions regarding your future.
- ◆ Making a personal directive is **optional and voluntary**.

Why is a personal directive necessary?

Relatives and friends do not automatically have a legal right to make decisions for you.

Who will benefit if I make a personal directive?

- ◆ **YOU.** If you are 18 years of age or over and currently able to make your own decisions, you can gain greater control over your future personal matters by making a personal directive.

Your family and friends. If you have a personal directive, the people who care about you can feel confident that the decisions made on your behalf are what you want. Personal directives can ease stress in difficult times.

Service Providers. People like doctors, nurses, lawyers and residential care providers who give you care and services will be able to rely on your written instructions or instructions provided by your agent.

What are my options for future planning?

If you wish to plan in advance, you may want to:

- ◆ Write a personal directive (for non-financial matters),
- ◆ Write an enduring power of attorney (for financial matters), and,
- ◆ Write a will (to plan for financial and personal assets after death).

What are the planning options during my life?

	Decisions made by you in advance	Decisions made for you by the court*
Personal	personal directive	guardianship
Financial	enduring power of attorney	trusteeship
Decisions After Death	will	intestate succession act

*The court would only award guardianship or trusteeship if a person was incompetent, and had not written a personal directive or an enduring power of attorney.

What kind of instructions can I leave in a personal directive?

Your instructions can be about any or all personal matters that are non-financial, such as:

- ◆ medical treatments you would or would not want,
- ◆ where you would like to live,
- ◆ who you would like to live with,
- ◆ choices about other personal activities (recreation, employment or education),
- ◆ any other personal and legal decisions.

A personal directive cannot be used to request illegal actions.

Can I make a personal directive now?

In order to be valid, your personal directive must be signed, dated and witnessed after the *Personal Directives Act* became law on December 1, 1997.

If you already have a living will or an advanced directive, verify it meets the requirements of the Personal Directives Act to ensure it is legally binding.



There is information available which includes the following topics:

- ◆ The requirements in making a personal directive,
- ◆ Issues you may consider in making a personal directive,
- ◆ The obligations of the agent(s),
- ◆ The obligations of the service provider(s).

For access to this information, visit the Alberta Seniors and Community Supports website at www.seniors.gov.ab.ca and follow the links to the Office of the Public Guardian.



Where can I get more information?

For copies of this brochure or for more information, or to book a Personal Directives Information Session, call the Office of the Public Guardian nearest you between the hours of 8:15 a.m. to 4:30 p.m.

- **North Region**
Ph. (780) 833-4319
- **Edmonton**
Ph. (780) 427-0017
- **Red Deer**
Ph. (403) 340-5165
- **Calgary**
Ph. (403) 297-3364
- **Lethbridge**
Ph. (403) 381-5648

For toll-free service from outside Edmonton, dial 310-0000 and ask for the personal directives specialist nearest you.

Information is available 24 hours a day on the Alberta Seniors and Community Supports website:

www.seniors.gov.ab.ca