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As we sit in our homes for most hours these days, you may be drawing your mind to things on your to-do list that you can never seem to check off. One item that may be on your list—and arguably is even more important to check off now—is creating a Will or updating your outdated Will.

This task at one time seemed almost impossible during the current government-instituted social distancing regimes since Wills cannot be signed electronically. Consequently, proper execution involved getting the testator and two witnesses into the same room at the same time. Obviously, during the age of the COVID-19 pandemic, such measures could be seen as irresponsible and/or unsafe.

However, it is now possible to create, amend, revoke, or revive a lawful Will during a public emergency period without the testator and witnesses physically being in the same room as one another. This option is available as a result of the introduction of *The Wills (Public Emergency) Regulations* (the “**Emergency Regulations**”), which came into effect in Saskatchewan on April 16, 2020.

Effectively, the Emergency Regulations provide for the circumstances where a person can sign a Will in the comfort of his or her own home, mail the partially executed Will to his or her lawyer, and then acknowledge his or her signature on the Will to the witnesses via video conference. The process helps keep people safe by ensuring social distancing protocols are adhered to at all times.

Since the Emergency Regulations specify that a lawyer must follow certain procedures under the new regulations to affect the remote witnessing process legally, our wills and estates lawyers at McKercher LLP are happy to assist clients using these means where it is the most appropriate method available. We invite current and potential clients to reach out if this procedure sounds like something you would be interested in to ensure your affairs are taken care of, especially at a critical time like this.



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About McKercher LLP:

McKercher LLP is one of Saskatchewan's largest, most established law firms, with offices in Saskatoon and Regina. Our deep roots and client-first philosophy have helped our firm to rank in the top 5 in Saskatchewan by Canadian Lawyer magazine (2019/20). Integrity, experience, and capacity provide innovative solutions for our clients' diverse legal issues and complex business transactions.

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