

The background of the entire page is a close-up, slightly blurred photograph of a stack of books. The pages are cream-colored and show some text, though it is mostly illegible due to the shallow depth of field. A large, semi-transparent teal rectangle is overlaid on the left and center of the image, containing the main title and author information in white text.

# THE LAST CHAPTER

ESTATE AND LEGACY PLANNING FOR WRITERS

BY SUSAN GOLDBERG

WRITERS' HOW-TO  
THE WRITERS' UNION OF CANADA

# TABLE OF CONTENTS

<b>INTRODUCTION</b>	<b>3</b>
What this booklet will do	4
<b>WILLS</b>	<b>5</b>
What is a will?	5
What happens if I don't have a will?	6
Different parts of a will	7
First Nations wills	9
Choosing an executor	10
Can I write my own will? Should I?	11
Ten mistakes to avoid when making your will	13
<b>POWERS OF ATTORNEY</b>	<b>15</b>
Why you need POAs	16
Power of attorney for financial matters	17
Power of attorney for personal care	18
Determining capacity: When is power of attorney enacted?	20
How do I create a power of attorney?	22
Choosing your attorneys	22
Funeral planning	23

<b>YOUR LITERARY ESTATE</b>	<b>25</b>
Your literary executor	26
How to choose a literary executor	28
Your digital legacy	29
<b>ARCHIVING YOUR LITERARY PAPERS</b>	<b>31</b>
What are your literary papers?	31
Why are your archives important?	32
How to choose an archive	33
How to negotiate an archival donation	34
What should I include?	34
What should I keep back?	36
Their financial/tax implications	37
Outstanding significance and national importance	38
<b>THE DÉNOUEMENT</b>	<b>39</b>
You're done — except you're not	39
Further resources	40

This book is not a substitute for professional help or advice. It is not meant to replace a lawyer, an accountant, or other estate- and financial-planning experts — which is why, throughout, you'll see repeated exhortations to consult these professionals. The author and The Writers' Union of Canada are not providing legal, tax, or any other professional advice or services in this book. Neither the author nor The Writers' Union of Canada will be responsible for the result of any actions or decision you may make based on errors, omissions, or information in this book.

# ABOUT THIS PUBLICATION

## **THE LAST CHAPTER: ESTATE AND LEGACY PLANNING FOR WRITERS**

is part of the Writers' How-to series, which offers professional guides on a variety of topics for writers.

**THANKS:** Immense thanks to Shauna Singh Baldwin, Brian Brett, Terry Fallis, Lawrence Hill, Chris Oke, Carmen Rodriguez, Robert J. Sawyer, Susan Swan, and Alana Wilcox for their time and candour.

**SUSAN GOLDBERG** is a freelance writer whose work has appeared in the *New York Times*, *Ms.*, *Catapult*, *Toronto Life*, *Full Grown People*, *Lilith*, *Corporate Knights*, *Advisor's Edge*, *Today's Parent*, and *Stealing Time* magazines, as well as several anthologies and literary journals. She is co-editor of the award-winning anthology *And Baby Makes More: Known Donors, Queer Parents, and Our Unexpected Families*. Susan lives in Thunder Bay, Ontario. [susan Goldberg.com](http://susan Goldberg.com)

**THE WRITERS' UNION OF CANADA** is the national organization of book authors. Founded in 1973 and now with over 2,100 members across the country, the Union promotes the rights, freedoms, and economic well-being of all writers.

# WRITERS' HOW-TO

## EXPLORE ALL THE GUIDES IN THIS SERIES

All guides in the Writers' How-to series are available for purchase online at [writersunion.ca/writers-how-to](http://writersunion.ca/writers-how-to). Members of The Writers' Union of Canada can access the full series at no cost. Print copies are available upon request.

**ANTHOLOGY RATES AND CONTRACTS** provides notes on contributions to anthologies, suggests minimum rates, and provides a suggested anthology contract.

**AUTHOR & EDITOR** (by Rick Archbold, Doug Gibson, Dennis Lee, John Pearce, Jan Walter) describes the relationship between author and editor, including a list of dos and don'ts for both parties.

**AUTHOR & LITERARY AGENT** offers guidelines and responsibilities governing the relationship between the author and the literary agent.

**EVERYTHING YOU NEVER WANTED TO KNOW ABOUT TAXES** (by Joel Fishbane) is a practical tax guide for those in the business of writing that covers types of income and expenses, details about the GST, and incorporation.

**FROM PAGE TO SCREEN** is a reference guide to options and film and TV contracts for original literary works, including information on minimum and maximum rates paid.

**GHOSTWRITING** (by Marian Hebb) includes various details to consider when negotiating a ghost writing agreement, including a sample contract.

**GLOSSARY OF PUBLISHING TERMS** is a user-friendly guide for authors dealing with the book publishing industry, usually during contract negotiations.

**HOW TO SELF-PUBLISH** (by Eve Silver) covers the why and how — and how much — of self-publishing, from editing and design to distribution and marketing, for authors with unpublished and previously-published materials.

**THE LAST CHAPTER: ESTATE AND LEGACY PLANNING FOR WRITERS** (by Susan Goldberg) covers wills and powers of attorney, literary estates and appointing a literary executor, and how to plan your literary archive.

**SELL YOUR BOOK: AN AUTHOR'S GUIDE TO PUBLICITY AND PROMOTION** (by Suzanne Alyssa Andrew) provides ideas for publicity and promotional activities that work, including a blueprint for your own personal book marketing plan, and is filled with advice from authors and industry experts.

**WRITERS' GUIDE TO CANADIAN PUBLISHERS** is a searchable online database of publishers who currently accept unsolicited manuscripts.

**WRITERS' GUIDE TO GRANTS** lists grants available to Canadian writers and includes information about writing samples, types of juries and how they judge, and application procedures.

**CONTRACTS SELF-HELP PACKAGE** helps writers evaluate and negotiate contracts offered by publishers.

**MODEL TRADE BOOK AGREEMENT** is a comprehensive model contract, complete with a model royalty statement, which provides reasonable minimum terms for trade book contracts and is a useful comparative tool for evaluating your publisher's contract.

**HELP YOURSELF TO A BETTER CONTRACT** (by Marian Hebb) is designed to aid writers in book contract negotiations with their publishers, and includes a checklist of favourable contract provisions with advice on what to ask and what to watch for.