

Book Review

Guide to Wills & Estates

British Columbia Edition

by Gabrielle M. Komorowska

When the **Guide to Wills & Estates** was first published, it caught the eye of lawyer Anthony Gargrave. Mr. Gargrave was a supporter of innovation and tools to increase law office efficiency. He saw the **Guide's** value to the law office and wrote the book review, published in the BC law magazine, *The Advocate*, (Vol. 55 part 2, 03/97).

While it has been some time since the book review was published (and the **Guide** has grown and been updated), the review is still very much applicable.

Guide to Wills & Estates, by Gabrielle M. Komorowska. Evin Ross Publications Ltd., P.O. Box 546, Gibsons, B.C. V0N 1V0

Reviewed by Tony Gargrave

This *Guide* is a practice manual. Author Gabrielle Komorowska prefers to call it a "how to do it book". Her descriptive name is correct, but "practice manual" sounds better. I think the *Guide* is a blockbuster of a success. It fills a need to effectively help the lawyer assist executors to probate estates and make money. Undignified? Perhaps, but if a lawyer cannot make money practising law, he cannot help clients.

When I started to practise law in 1962, there were almost no practice manuals available. The profession was performing like a guild of handicraft tradesmen. Every lawyer had his own precedents and guarded them jealously. The only estate checklists to help a lawyer do a job in the office that I can recall was *Sheard on Wills* (e.g., "Does the testator own foreign real property?").

I persuaded Alex Matthews, MLA and secretary to the Notaries Public Association, to sell me a copy of their *Vade Mecum*, a book of real estate precedents showing you how to draft an agreement for sale that would get past Al Smith, Vancouver Registrar of Land Titles.

In 1962, there were scores of grand law texts written by university law teachers on the theory of law but nothing to help the lawyer trying to probate an estate for a reasonable fee.

I think the legal profession has finally caught up to the word processor and laser printer, but it took a long time.

As an 18-year-old soldier in World War II, I was taught by the army to drive a six-ton truck. One of the things that was taught in Canada was how to train technicians quickly. We taught automobile mechanics and plane navigators their trades in six months. You could be dropping bombs on Europe six months after joining the armed forces. In the army, my sergeant instructor gave me a checklist printed on pink paper describing how to maintain my truck. The checklist was brilliant. I could not drive the truck, but I sure could maintain it. We were never allowed to rely on the gas gauge. We had to place a stick in the gas tank every day to check whether the tank was half full or half empty. I have been enamoured of checklists ever since. The sergeant forgave me for almost running him down one time, but he never forgave me for driving the truck with the hand brake on.

Gabrielle Komorowska's *Guide* shows you how to draft a will, probate a will and administer an estate. The *Guide* wisely does not tell you everything, but it illustrates how to do the routine work in probating estates, usually a profitable side of the law practice.

Ms. Komorowska has been a legal secretary at Altman Kahn Zack for 20 years and has taught probate practice to secretaries through the Richmond School Board District and Langara Community College. Teaching a subject focuses the mind.

Probably the most important page in the *Guide* is page 2. It is a table of contents that summarizes the *Guide*. By reading it you can get a handle on the manual immediately. Every section is preceded by an index. A master index at the end of the work is crying out for page re-enforcements.

The book lies flat and the subdividers are strong plastic. The format looks good. The author proceeds chronologically. First things come first. All forms are illus-

trated. Large forms have been shrunk to fit the letter-size paper. On the left are instructions on how to type up the document, on the right is the document itself.

The *Guide* should be easy to use with a word processor even by the most inexperienced secretary. The more lengthy explanations are clearly indicated by the use of handy markers which — the experts tell me — are called “dingbats” or “wingdings”. They alert the typist to refer to the corresponding dingbat on the opposite page, where such information is found. I love those “technical” words.

The *Guide* thoughtfully provides a short bibliography to direct the practitioner to other practice manuals when sophisticated problems arise. The author warns of potential errors.

This *Guide* is invaluable to instruct staff, assist lawyers, assist staff and give the lawyer and staff more time to talk to clients because the “routine” stuff has been covered. The *Guide* should reduce the cost of errors and omissions insurance in the profession and allow lawyers to sleep peacefully at night.

The *Guide* includes a checklist to be used in the first interview with the executor, to make sure that as much information as possible is gathered during the first visit. This is a great time-saver. I might say that, in my opinion, the *Guide* should feature a “needed documents” list for the first interview, which would be helpful for the lawyer during the first phone call from the widow to tell her what documents to bring into the office. It is my experience that such an interview takes two hours.