

## Some Common Terms for Wills and Estates

**Beneficiary** - A person entitled to money or property under a will, trust, or insurance policy.

**Claimant** - A person who makes a claim or asserts a right.

**Enduring power of attorney (EPA)  
(financial matters and/or personal matters) -**

The power to look after financial and legal affairs for a person and the power to make personal and lifestyle choices for a person.

**Advanced care directive -**

A legal document that may contain 'instructional directives' - legally binding instructions relating to the consent or refusal of treatment and/or 'values directives' - non-binding statements about your values and feelings in relation to medical treatment.

**Appointment of medical treatment decision maker (AOMTDM) -**

A medical treatment decision maker will have the authority to make medical treatment decisions they reasonably believe you would have made had you had capacity.

**Supportive attorney appointments -**

Supportive attorney appointments are about upholding the independence and self-respect of a person who is able to make decisions provided they are supported.

**Executor** - A person named in a will or appointed by a court to carry out the instructions contained in a will.

**Fiduciary** - Relating to the relationship between a trustee and the person or body for whom the trustee acts.

**Intestate** - When a person has died without making a legally valid will.

**Letters of administration** - An official court order appointing an administrator of a deceased person's estate when no valid will exists

**Probate** - The process of proving that a will can be accepted as legally correct.

**Testator** - A person with a valid will.

**Testamentary** - Stated in or relating to a will.

**Testamentary trust** - A trust that is created in a will and exists only after a person dies.

**Trustee** - A person who is given the legal authority to manage money or property on behalf of somebody else.

**Will** - A document detailing a person's wishes regarding who is entitled to their assets after they die.

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