

Informal Trusteeship

Office Of The
Public Trustee

**Government
of Alberta** ■
Justice

People who suffer from a mental disability may need help managing their finances. The amount of assistance they need depends on their disability, what needs to be managed and who is willing and able to assist them.

If the disabled person has minimal assets and only needs help managing a monthly government cheque, trusteeship can be arranged with the government department issuing the cheque. This type of trusteeship is commonly called informal trusteeship and it has several advantages.

There are no Court costs involved and the informal trustee is only accountable to the department that issues the cheque and not the Court.

The informal trustee may have to account to the department from time to time for all of the money received and bills paid. The informal trustee's authority ends when the person-in-need dies. All funds held by the informal trustee become part of the deceased person's estate.

Keep Your Money Separate

Open a trust account for the person where you can direct income to and pay bills from on their behalf.

The Following Government Departments Offer Informal Trusteeship Programs:

- Assured Income for the Severely Handicapped (AISH)
- Employment and Immigration (Income Support)
- Canada Pension Plan
- Old Age Security
- Alberta Seniors Benefit
- Department of Veterans Affairs

Explore All The Options

While Informal Trusteeship seems like an easy way to do things, it may not be your best choice.

Enduring Power of Attorney

Depending on the situation, the disabled person may have the capacity to sign an Enduring Power of Attorney. Hiring a lawyer to help with this process is strongly recommended. The Public Trustee has developed a separate brochure about Enduring Powers of Attorney.

A Trustee Under The Dependent Adults Act

Having a trustee appointed for the disabled person under the Dependent Adults Act provides greater protection for the dependent adult. When a person becomes a trustee under this Act, they normally assume control and responsibility over all of the property of the dependent adult and they are required to act in the best interests of the dependent adult. The trustee must periodically apply to the Court for a review of the trusteeship order and to pass accounts. However, this process places limits on the rights of the dependent adult.

The Court might not appoint a trustee under the Dependent Adults Act unless the applicant has satisfied the Court that the option of informal trusteeship was considered and found not to be an appropriate alternative.

Government of Canada

The appropriate papers are available at www.servicecanada.gc.ca/eng/audiences/seniors/benefits or can be mailed to the applicant by phoning 1-800-277-9914. Operators are available to answer any questions you may have.

Informal trustee provisions are available through the Income Securities Programs and Veterans Affairs.

Income Securities Programs

The Income Securities Programs include the following:

1. Old Age Security Pension
2. Guaranteed Income Supplement
3. Spouse's Allowance
4. Allowance for the Survivor
5. Canada Pension Plan

Income Security Programs Offices

CALGARY
2nd Floor, Suite 270
Harry Hays Building
220 Fourth Ave, S.E.
Calgary, Alberta
T2G 4X3

EDMONTON
Main Floor, Canada Place
9700 Jasper Avenue
Edmonton, Alberta
T5J 4C1

LETHBRIDGE
Provincial Building
200 - 5th Avenue S
Lethbridge, Alberta
T1J 4L1

RED DEER
2nd Floor,
4911 - 51 Street
Red Deer, Alberta
T4N 6A1

Veterans Affairs Canada

This Department encourages Court appointed trusteeship. However, an individual (usually a family member) can ask to be an informal trustee/administrator.

Veterans Affairs Canada Offices

1-866-522-2122
<http://www.vac-acc.gc.ca/general>

940 Canada Place
9700 Jasper Avenue
Edmonton, Alberta
T5L 4C3

Room 104, Sam Livingston Building
510 - 12 Avenue S.W.
Calgary, Alberta
T2R 0X5

Important Note

A veteran is likely to be entitled to benefits from more than one department. This may require separate informal trustee arrangements.

Provincial Government

Assured Income For The Severely Handicapped (AISH)

An informal trustee can be appointed under the Assured Income for the Severely Handicapped Act, and is referred to as a "financial administrator."

AISH payments may be redirected after a financial administrator is appointed.

Information regarding the AISH program is available at www.seniors.gov.ab.ca/aish or by calling the AISH Information Line at 1-866-477-8589 toll-free, or 780-644-1364 in the Edmonton area. You can also call 310-0000 to be connected to the AISH office nearest you.

Income Support

Informal trustee provisions are also found in the Income and Employment Supports Act. A financial administrator can be appointed to manage the benefit.

Income support payments may be redirected after a financial administrator is appointed.

For more information, contact the recipient's caseworker at the nearest Employment and Immigration office. You can also contact the 24-hour Income Support Contact Centre in Edmonton at 780-644-5134, outside of Edmonton toll-free at 1-866-644-5135, or by e-mail at ISCC@gov.ab.ca.

Alberta Seniors Benefit

An informal trustee may be appointed under the Alberta Seniors Benefit program. For more information, call 1-800-642-3853, or visit www.seniors.gov.ab.ca.

Office Of The Public Trustee

Edmonton

400 South, Brownlee Building
10365-97 Street
Edmonton, AB T5J 3Z8
Phone: 780-427-2744
Fax: 780-422-9136

Calgary

2100 Telus Tower
411 – 1st Street SE
Calgary, AB T2G 4Y5
Phone: 403-297-6541
Fax: 403-297-2823

For More Information:

Visit: www.justice.gov.ab.ca/public_trustee/
Or, call toll-free: 310-0000, then dial
780-427-2744 for the Edmonton office, or
403-297-6541 for the Calgary office

This publication was prepared as a public service to Albertans by the Office of the Public Trustee with the assistance of the Court Services Division of Alberta Justice and is intended to give information about trusteeship under the Dependent Adults Act. It is not intended to give legal advice for which a lawyer should be retained. The Dependent Adults Act and its Regulations should also be consulted. The Public Trustee does not warrant the outcome or result of using the information in this publication. This publication is current to November 1, 2008. The law and its interpretation by the Courts frequently change. Please ensure you are using the most current publication.