

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 disabled 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 *Adult Guardianship and Trusteeship Act*

Having a trustee appointed for the disabled person under the *Adult Guardianship and Trusteeship Act* provides greater protection for the represented adult. When a person becomes a trustee under this Act, the trustee normally assumes control and responsibility over all of the property of the represented adult and the trustee is required to act in the best interests of the represented adult and in accordance with the Trusteeship Plan that must be filed by the trustee and approved by the Court. The trustee must review the Trusteeship Order and submit accounts for the Court's examination and approval at the time specified by the Court.

The Court might not appoint a trustee if it is satisfied less intrusive and less restrictive alternative measures, than the appointment of a trustee, would adequately protect the adult's interest in respect of financial matters.

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:

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	EDMONTON
2 nd Floor, Suite 270	Main Floor, Canada Place
Harry Hays Building	9700 Jasper Avenue
220 Fourth Ave, S.E.	Edmonton, Alberta
Calgary, Alberta	T5J 4C1
T2G 4X3	

LETHBRIDGE	RED DEER
Provincial Building	2 nd Floor,
200 - 5 th Avenue S	4911 - 51 Street
Lethbridge, Alberta	Red Deer, Alberta
T1J 4L1	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
www.vac-acc.gc.ca/general

940 Canada Place	Room 104, Sam Livingston Building
9700 Jasper Avenue	510 - 12 Avenue S.W.
Edmonton, Alberta	Calgary, Alberta
T5L 4C3	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 *Adult Guardianship and Trusteeship Act*. It is not intended to give legal advice for which a lawyer should be retained. The *Adult Guardianship and Trusteeship 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 September 1, 2009.