|  |  |
| --- | --- |
| ESTATE NAME | **{{deceased.name}}** |
| AND ANY OTHER NAME(S) BY WHICH KNOWN | **{% if deceased.aka\_name and deceased.aka\_name|length > 0%}{{ deceased.aka\_name|merge(“a, b and c”)}}{% else %}None{% endif %}** |
| DOCUMENT | **Notice to a Dependent Child or Minor Grandchild or Great Grandchild of the Deceased**  ***Family Maintenance and Support*** |

{%p if party.dependent\_adult\_child\_tf == True or (party.t\_dependent.disability\_type|answered and party.t\_dependent.disability\_type != “None of the Above”) %}

{%p if addressee == “Trustee” %}

|  |  |  |
| --- | --- | --- |
| To: | Name of Trustee  (under section 11(1) of the *Estate Administration Act*) | **{{party.t\_dependent.trustee\_name}}** |
|  | Complete Address | **{{party.t\_dependent.trustee\_address}}** |
| On behalf of the Dependent Child: | | **{{party.name\_on\_file}}** |

{%p elif addressee == “Attorney” %}

|  |  |  |
| --- | --- | --- |
| To: | Name of Attorney  (under section 11(1) of the *Estate Administration Act*) | **{{party.t\_dependent.attorney\_name}}** |
|  | Complete Address | **{{party.t\_dependent.attorney\_address}}** |
| On behalf of the Dependent Child: | | **{{party.name\_on\_file}}** |

{%p elif addressee == “Trustee and Attorney” %}

|  |  |  |
| --- | --- | --- |
| To: | Name of Trustee  (under section 11(1) of the *Estate Administration Act*) | **{{party.t\_dependent.trustee\_name}}** |
|  | Complete Address | **{{party.t\_dependent.trustee\_address}}** |
| To: | Name of Attorney  (under section 11(1) of the *Estate Administration Act*) | **{{party.t\_dependent.attorney\_name}}** |
|  | Complete Address | **{{party.t\_dependent.attorney\_address}}** |
| On behalf of the Dependent Child: | | **{{party.name\_on\_file}}** |

{%p else %}

|  |  |  |
| --- | --- | --- |
| To: | Name of Dependent Child  (under section 11(1) of the *Estate Administration Act*) | **{{party.name\_on\_file}}** |
|  | Complete Address | **{{party.address\_on\_file}}** |

{%p endif %}

{%p elif party.is\_student == True %}

|  |  |  |
| --- | --- | --- |
| To: | Name of Child  (under section 11(1) of the *Estate Administration Act*) | **{{party.name\_on\_file}}** |
|  | Complete Address | **{{party.address\_on\_file}}** |

{%p elif party.dependent\_child\_tf == True or party.dependent\_grandchild\_tf == True %}

{%p if addressee == "Parent 1"%}

|  |  |  |
| --- | --- | --- |
| To: | Name of {{party.notice\_to\_minor\_mc}}  (under section 11(1) of the *Estate Administration Act*) | **{{party.notice\_to\_minor\_name}}** |
|  | Complete Address | **{{party.notice\_to\_minor\_address}}** |
| On behalf of the Dependent Child | | **{{party.name\_on\_file}}** |

{%p elif addressee == "Parent 2"%}

|  |  |  |
| --- | --- | --- |
| To: | Name of {{party.notice\_to\_minor\_mc}}  (under section 11(1) of the *Estate Administration Act*) | **{{party.notice\_to\_minor\_name\_2}}** |
|  | Complete Address | **{{party.notice\_to\_minor\_address\_2}}** |
| On behalf of the Dependent Child | | **{{party.name\_on\_file}}** |

{%p else %}

|  |  |  |
| --- | --- | --- |
| To: | Name of Child  (under section 11(1) of the *Estate Administration Act*) | **{{party.name\_on\_file}}** |
|  | Complete Address | **{{party.address\_on\_file}}** |

{%p endif %}

{%p endif %}

Enclosed with this Notice is a copy of the Application for {{estate.grant\_of\_language}}. The law requires that this notice must be given to you because you may be entitled to make a claim for maintenance and support from the Estate of the Deceased, {{deceased.name}}, but you have not been given all the property in the Estate.

Part 5, Division 2 of the *Wills and Succession Act* allows the following persons to apply to the court to receive more or all of the Estate:

{%p if party.dependent\_child\_tf == True %}

a child of the Deceased who is under the age of 18 years at the time of the Deceased’s death;

{%p else %}

a child of the Deceased who is under the age of 18 years at the time of the Deceased’s death;

{%p endif %}

{%p if party.dependent\_adult\_child\_tf == True or (party.t\_dependent.disability\_type and party.t\_dependent.disability\_type != " " and party.t\_dependent.disability\_type != “None of the Above”) %}

a child of the Deceased who is at least 18 years of age at the time of the Deceased’s death and unable to earn a livelihood by reason of mental or physical disability;

{%p else %}

a child of the Deceased who is at least 18 years of age at the time of the Deceased’s death and unable to earn a livelihood by reason of mental or physical disability;

{%p endif %}

{%p if party.is\_student == True %}

a child of the Deceased who, at the time of the Deceased’s death, is at least 18 but under 22 years of age and unable to withdraw from his or her parents’ charge because he or she is attending school full time;

{%p else %}

a child of the Deceased who, at the time of the Deceased’s death, is at least 18 but under 22 years of age and unable to withdraw from his or her parents’ charge because he or she is attending school full time;

{%p endif %}

{%p if party.dependent\_grandchild\_tf == True %}

a grandchild or great-grandchild of the Deceased

{%p else %}

a grandchild or great-grandchild of the Deceased

{%p endif %}

a) who was under 18 years of age at the time of the Deceased’s death,

b) in respect of whom the Deceased, during life, demonstrated a settled intention to treat as his or her own child,

c) whose primary home, since birth or for at least 2 years immediately before the grandparent’s death, was with the grandparent, and

d) whose primary financial support, since birth or for at least 2 years immediately before the grandparent’s death, was provided by the grandparent.

The Court can change the distribution of the Estate and give you more or all of the Estate if the Court decides you are a qualified applicant and the circumstances warrant it.

There are some time requirements which must be met before the Court can hear any Application. You should begin your Application within six months after date the Court issued {{estate.grant\_of\_language}}. After that, the {{cfa.multiple\_prs|text\_merge("Personal Representative/Personal Representatives")}} may distribute the Estate property and you can only apply if the Court lets you. You can then only ask for some or all of the property in the Estate that is still undistributed at that time.

If you want to take this further, you must consult your own lawyer immediately.

{{cfa.pr\_signature\_lines}}