



The Alberta Law Reform Institute (ALRI) recommends that...

Alberta law should expressly provide for electronic wills



The formalities for electronic wills should mirror the formalities for paper wills so that they are...

Readable as electronic text

Signed by the testator, using an electronic signature

Signed by two witnesses, who are both present at the same time, using an electronic signature

Principles that guided ALRI's recommendations include:

CERTAINTY

An important general principle is that laws should be clear and produce predictable results. However, it is unclear whether electronic wills can be created under the current version of the *Alberta Wills and Succession Act*. Reform would bring clarity and certainty to this area of the law.

ACCESS TO JUSTICE

In all our work, ALRI considers how to advance access to justice. Access to justice is not only about access to courts or litigation. It can also mean access to appropriate legal services. Without electronic options, the ability to access legal services may be reduced for isolated individuals or those who are unable to travel.

INCREMENTAL CHANGE

Rules governing wills formalities and the creation of paper wills have been around for centuries and have been working well. Thus, one of the guiding principles of this report is that the traditional legal rules governing the creation of wills should only be altered to the extent that is required in order to accommodate the electronic medium.