

ADULT NAME CHANGE GUIDE







Disclaimer



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This document does not contain legal advice.

This document was prepared with the assistance of PBSC Osgoode Hall law student volunteers. PBSC volunteers are not lawyers and they are not authorized to provide legal advice. This document contains general discussion of certain legal and related issues only. If you require legal advice, please consult with a lawyer.

Note: This guide contains information for people that have various different identities and immigration statuses. You may not need all of the types of IDs included in this guide, but we hope you will find the resources useful for the ones that are applicable to you.

Please ensure that you double check that the applications you are using are the most current/up-to-date versions.

Please use the table of contents to find the sections that are relevant to the types of IDs you need to change.

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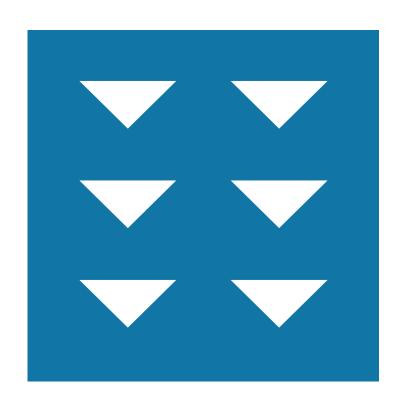
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Adult Name Change Guide

INTRODUCTION

Are you a transgender, non-binary, or gender non-conforming adult in Ontario looking to change your name?

We know that the name change process can be hard to navigate. We're here to help with this guide! In the following pages you will find document check-lists, important tips, and additional information about the process of changing your name on a variety of different documents.



USE THIS GUIDE IF YOU:

Are a trans, non-binary, or gender non-conforming person looking to **change your name**

Are over the age of 16

Have lived in Ontario for more than 12 months

Are a Canadian Citizen OR Permanent Resident

Unfortunately, if you are not a Citizen or Permanent Resident, or if you haven't lived in Ontario for at least 12 months, you cannot apply for a name change using this process. Check the resources section at the end of this guide for some organizations to contact for legal support.

While the steps of the process apply to all folks in Ontario, most of the resources included at the end of the guide are located in Southern Ontario. This is because of the location of our team, and the limitation of time and capacity to research resources across the entire province.

NAME CHANGE STEPS

Now that we know you're working with the right guide, here's the name change steps. Each of the steps below has a section in the guide that explains the process!







STEP 1

Get your Legal Name Change

STEP 2

Update your Provincial IDs

STEP 3

Update your SIN and Federal ID Cards





Update
Passport and/
or Immigration
Documents



STEP 5

Other Places to Update Your Name

CHANGE YOUR LEGAL NAME

UPDATE PROVINCIAL IDS

- OHIP Card
- Drivers' Licence, and/or
- Photo ID Card for Non-Drivers

UPDATE SIN AND FEDERAL IDS

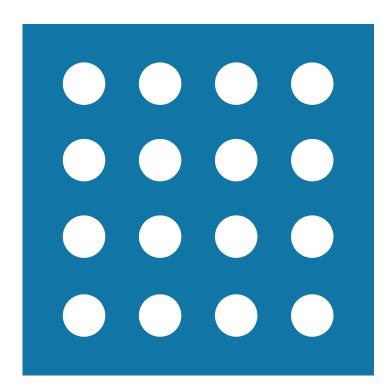
- Social Insurance Number (SIN) record
- Certificate of Indian Status (if applicable)

UPDATE PASSPORT AND/ OR IMMIGRATION DOCUMENTS

- Passport
- Permanent Resident Card
- Citizenship Certificate
- Travel Document for Stateless or Protected Persons

OTHER PLACES TO UPDATE YOUR NAME

• A list of places to consider updating after you update government IDs







Step 1: Change Your Legal Name

Your first step will be to complete the Ontario Application to Change an Adult's Name. The application form is attached at the end of this guide or you can use **this link**. This is the most complicated step in the process, but hopefully this guide helps break it down.

SNAPSHOT OF PROCESS



COST

\$137, plus a possible \$25-\$50 to get paperwork commissioned, we'll explain what this means later!



PROCESS

Deliver completed paperwork by mail



TIMELINE

4-6 week processing time



WHAT YOU WILL NEED

The documents you require depend in if you were born in Canada or abroad. Use the **appropriate document checklist** for your situation. **Document checklists** are included after the "Steps" section of the guide.

STEPS



There are two checklists included in the following pages of this guide:

- a. One for individuals born in Canada
- b. One for individuals born outside Canada

Fill in the application

The application form will ask for a range of personal information.

If you are 16 or 17 years old, you will require consent from a parent or guardian to change your name using this form. The consent form is in **Part 3** of the application package. If your parent or guardian refuses consent, it is possible to request a court-order allowing you to change your name without consent. This process is discussed in the Youth Name Change Guide, so if you are 16 or 17 without parental consent, please use that guide instead.

Find a guarantor (Part 4 of the application)

A guarantor is someone that can prove that you have lived in Ontario for at least 12 consecutive months. There is a list of preferred professions for guarantors, including:

- Doctors
- Municipal Clerks
- Lawyers
- School Principals
- Judges
- Bank Managers

If you can find someone from this list that you feel comfortable asking, it will ensure smoother processing of your application. A family doctor or school principal can be a good choice, if you have a good relationship with one of these professionals. If you see a doctor for your gender affirming medical care, they are likely familiar with this form.

If you can't find someone from this list, you can ask another person who is **not related to you** and has known you for **at least five years.**



Most trans folks changing their name can **skip Part 2- Giving Notice About Your Name Change**. This part is for people changing their name for marriage-related reasons. Include the blank pages of Part 2 in your complete package when you mail it in.

The application will ask questions about your **criminal record**. If you have past criminal convictions, this does not mean you're excluded from getting a name change. However, it does mean that you will be required to provide a **police record check**. This can be done at your local police station. Many municipalities, including Toronto, are offering this service online during COVID-19. There is often a fee associated with getting a police record check (around \$20).



Ontario automatically publishes all legal name changes in a newspaper called the Ontario Gazette. Some trans people may not wish for their name change to appear here, for privacy and safety reasons. Trans people automatically qualify to be exempt from having their name published, but in order to be exempt you must fill in the Request for Non-Publication in the Ontario Gazette form (click here) or it can be found at the end of this guide. Include this form in your full package when you mail it in.

Get your documents commissioned

When you sign your name change form, it is **essential** that you sign it in front of a person called a commissioner for taking affidavits. There is often a fee associated with getting a document commissioned, in the range of \$25-\$50. Sometimes, community legal clinics or other organizations offer free commissioning services. The resources sheet at the end of this guide lists some organizations that do free commissioning in Southern Ontario. Other examples of people that can commission your documents include:

- The clerk of your municipal government (this service is usually offered at your City/Town Hall)
- Lawyers
- Judges
- Members of Provincial Parliament (MPPs)



The fee to change your name is \$137. You can pay by credit card, cheque, or money order. The last page of the application has instructions on how to pay.

Mail in your forms

Mail the completed paperwork to the address below: The Deputy Registrar General Office of the Registrar General PO Box 3000, 189 Red River Road Thunder Bay, ON P7B 5W0

WHAT HAPPENS NEXT?



If your name change is approved

You will receive the following documents:

- Name Change Certificate: A legal document showing your old name and your new name
- 2. If you were born in Ontario, you will also receive a new birth certificate
- 3. If you were born in Canada, but outside Ontario, you must contact your home province if you want an updated birth certificate

You do not need an updated birth certificate to change your other IDs. Getting a new birth certificate is a personal choice.



If your name change is rejected

They will mail the application back with an explanation. In most cases, you simply need to fix an error in your paperwork and re-submit. In these cases, they will not charge an additional fee.



TIP

If you do not want a sex marker on your new Ontario Birth Certificate, you can check a **box on page 15** of the name change application, and the new certificate will not display a sex marker.

DOCUMENT CHECKLIST: FOR PEOPLE BORN IN CANADA

For everyone born in Canada: Birth Certificate

- Send in all previously issued copies of your birth certificate and/or certified birth registration. This is sometimes called a long form birth certificate.
- If you do not have a birth certificate, you will need to apply for a birth certificate from the province where you were born before completing the name change form

If you have changed your name previously

• Any previous name change orders or certificates

If you have prior criminal convictions

• A police record check

DOCUMENT CHECKLIST: FOR PEOPLE BORN OUTSIDE OF CANADA

For people born outside of Canada, you do not need to send original documents. You can send scanned copies.

For everyone born outside Canada:

- 1. Photocopy of original birth certificate or birth registration from your country of birth
 - If, for any reason, you are not able to obtain a copy of your birth certificate, include a signed written explanation as to why you are unable to provide it, and what you have done to try to obtain it
- 2. Photocopy of ONE of the following documents
 - Canadian Citizenship Card or Certificate
 - Permanent Resident Card
 - Canadian Record of Immigrant Landing
- 3. Photocopy of the passport you used to enter Canada
 - If you still have it
- If you have changed your name previously
 - Any previous name change orders or certificates
- If you have prior criminal convictions
 - A police record check

If your documents are not in English or French, you must get them translated. The bottom of page 13 of the application guide has instructions related to the translation process.

Information for Step 1 of the guide was found on the Government of Ontario's website at this link: https://www.ontario.ca/page/change-name. Visit this site for additional information.





STEP



Step 2: Update Your Provincial IDs

After your legal name change is approved, you will have to apply to update your name on any provincial ID cards you may have, such as:

- OHIP Card
- Driver's Licence
- Government issued Ontario Photo ID card, if you do not have a driver's license

For all of these IDs, the basic process is as follows:



COST

\$0

Note: If it is your first time applying for a driver's licence or photo ID card, there is a fee. However, if you are only updating your name on an existing ID, it is free.



PROCESS

Apply in person at Service Ontario. Generally, you can complete the forms when you arrive to the Service Ontario centre. However, they are also attached at the end of this guide if you'd like to fill them in advance. Unfortunately, name change services are not available online (even during COVID-19).



TIMELINE

You will immediately receive updated paper copies of your IDs. Cards will arrive in the mail about 4 weeks later.



WHAT YOU WILL NEED

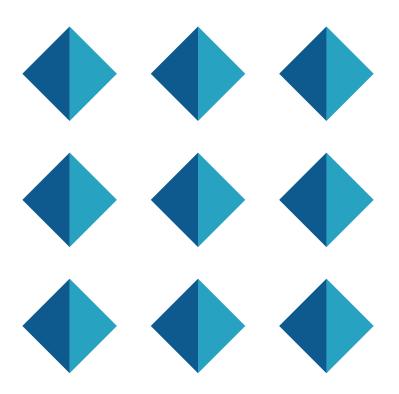
- 1. The current copy of the IDs you are changing, and
- 2. Your official name change certificate

Information for Step 2 of the guide was found on the Government of Ontario's website at the links below.

https://www.ontario.ca/page/change-information-drivers-licence#!%2F

https://www.ontario.ca/page/replace-cancel-or-change-information-your-health-card

https://www.ontario.ca/page/ontario-photo-card







Update Your SIN and Federal IDs

Step 3: Update Your SIN & Federal IDs

SOCIAL INSURANCE NUMBER (SIN)

All Canadian citizens and permanent residents have a Social Insurance Number (SIN) that stays with them forever. It is important that you update your name on your SIN record.

The process to update your SIN is as follows:



COST \$0



PROCESS

Typically, you must apply in person at a Service Canada Centre. However, in light of the COVID-19 pandemic, this service is also currently available online here: https://sin-nas.canada.ca/en/Sin/ or by mail.



TIMFIINF

The process is immediate at a Service Canada Centre. It can take 2-4 weeks online or by mail.



WHAT YOU WILL NEED

- 1. A valid **primary** identity document, which could be:
 - Birth Certificate

- Permanent Resident Card
- Certificate of Canadian Citizenship Record of Landing

TIP: Your primary document DOES NOT need to have your new name on it. It can be published under your former name, as long as you provide your name change certificate as a supporting document.

- 2. A supporting document with your new name, which should be:
 - Your name change certificate

Information for changing your SIN was found on the Government of Canada's website at this link https://www.canada.ca/en/employment-social-development/services/sin/after-applying.html

CERTIFICATE OF INDIAN STATUS CARD



COST \$0



PROCESS

- Complete the Secure Certificate of Indian Status Application for Already Registered Persons, with the reason for application being "Replacement (changes to personal information)
- 2. Gather all relevant documents. Original copies will be returned.
- 3. Bring application to the nearest regional office OR mail application to:
 National Registration Processing Unit
 10 Wellington Street
 Gatineau, Ouebec K1A OH4



TIMELINE

16 weeks for Complete Applications (not including mail time)



WHAT YOU WILL NEED

- 1. Two passport-style photographs
 - One photograph must be signed by the guarantor and say "This is the true likeness of the (Name of applicant/child/dependent adult)" on the back of the photograph
 - Date when the photos were taken and the information (name and address) of the studio/person who took the photo on the back of each photo (most photo studios will stamp this on)
- 2. Identity Documents (Adult Applicant or Consenting Parent)
 - Original Proof of Birth Document
 - Birth certificate listing name of parents (required) from Canada, Quebec, US or country other than Canada or US
 - Document must be in English or French

3. Name Linking Document

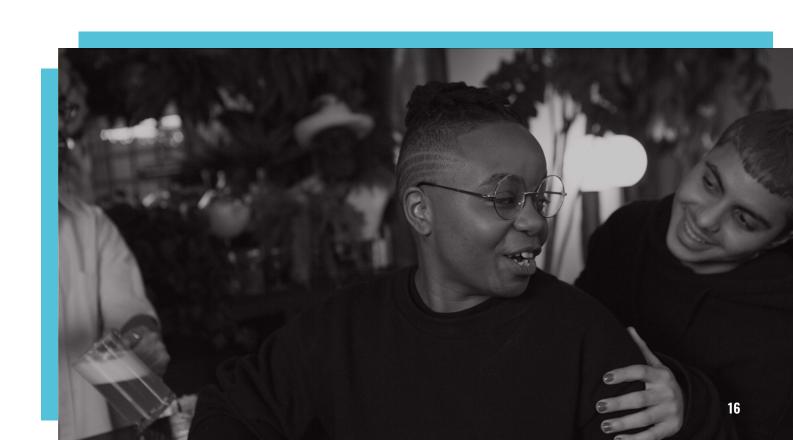
- If the original name does not match the name on the application, supporting documents must be provided to show that you are the same person
- Examples: Legal Name Change Certificate, Marriage Certificate, Common-Law Certificate, Court Order, Resumption of Surname Certificate

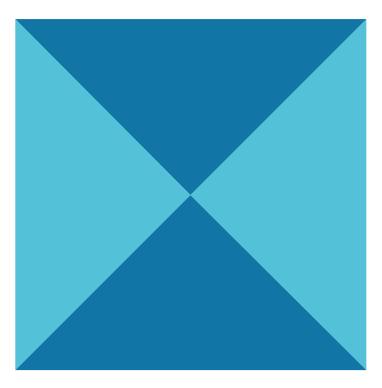
4. Supporting Identity Documents

- **Option 1:** An identity document that provides full name, date of birth, photo and signature (i.e., passport, driver's license, ID card, health card, citizenship card, PR card)
- **Option 2:** More than one identity document that together demonstrate full name, date of birth, photo and signature (i.e., health card, US passport, NEXUS card, government employee ID card, PR card without signature, firearms license)
- **Guarantor** (to confirm the identity of the applicant)
 - Must be 18 years of age, reside in Canada or US, be reachable by phone for verification and must have known the applicant personally for at least 2 years
 - Parent/Guardian cannot be a guarantor but a family member can be if they meet the criteria outlined above
 - MUST fill out Guarantor Declaration Form
 - Sign and date photocopies of the documents that support the applicant's identity

Information for changing your Certificate of Indian Status Card was found on the Government of Canada's website, https://www.sac-isc.gc.ca/eng/1100100032421/1572461539061

Please visit the link for more information.









Step 4: Update Passport and/or Immigration Documents

Some people may also have other federal documents to update, like passports, permanent resident cards, or citizenship cards/certificates.

CANADIAN PASSPORT

This section applies to Canadian citizens only, because permanent and temporary residents cannot get Canadian Passports. There is a section on updating a Permanent Resident Card or acquiring a travel document for stateless persons included later in this guide.



COST

Applications made in Canada 5-year validity – CAN \$120 10-year validity – CAN \$160

Applications made from the USA

5-year validity – CAN \$190 10-year validity – CAN \$260 Approx. \$10-\$20 for professional passport photos



PROCESS

Deliver completed paperwork in one of three ways:

- In person at a Passport Program Office
- In person at a participating Service Canada Centre
- Or by mail to: Passport Program, Gatineau, QC K1A OG3, Canada



TIMFIINE

- 10 business days if you apply in person at a Passport Office
- 20 business days if you apply by mail or in person at a Service Canada office



WHAT YOU WILL NEED

There is a full document checklist following the "Steps" section below

STEPS



Base it on the checklist that follows this section of the guide



The application form will ask for a range of personal information



A guarantor is someone that can verify your identity and application. Compared to your name change form, there are less criteria for guarantors for passport applications. The person simply has to have **known you for two years** and **cannot be related** to you. They must also hold a Canadian Passport.

Instructions for the guarantor are found in Section J of the application.

References are additional adult persons that have known you for at least 6 months, and are not related to you. You will need two references.

Get passport photos taken

This can be done at most photo studios, and many pharmacies, corner stores, office supply stores, and more. The cost is typically around \$10-\$20. Make sure the date and name of studio are stamped on the back of the photos.



The fee will depend on the type of passport you're applying for. The different costs are listed at the top of this section of the guide.

NOTE: If you are interested in changing your gender identifier on your passport. You can do that at this time too! Doing both of these steps at once will save you money and time. See the other "Change your Gender Marker" guide for details.

DOCUMENT CHECKLIST

- Proof of citizenship, which may display your new name or your birth name. This should be either:
 - Your birth certificate if you were born in Canada, or
 - Your certificate of citizenship if you are a naturalized citizen (not born in Canada)



As of May 2018, your birth certificate or certificate of citizenship **no longer need to display your new name**. The name change certificate is enough for the government verify your new name. This policy was changed recently, but the form is not yet updated. You can ignore the proof of citizenship instructions in Section I on the form, as the government confirms at **this link**.

Document(s) to support identity, which must include your new name. Documents from the list below are valid:

- Driver's licence issued by a province or territory, or the equivalent abroad
- Health card issued by a province or territory, or the equivalent abroad
- Certificate of Indian Status
- Military ID
- Foreign passport
- Non-driver's licence issued by a province or territory, or the equivalent abroad
- ID card issued by the federal government, or a provincial or territorial government, or the equivalent abroad
- Employee identification issued by the federal government, or a provincial or territorial government, or the equivalent abroad

Your name change certificate • This fulfills the requirement for "A document that indicates one of the following: you have a new last name because of a relationship change, or you have a new name because of an adoption or legal name change" Any valid Canadian travel documents issued to you • Passport, certificate of identity or refugee travel document Two valid passport photos, taken at a passport photo studio • One must be verified and signed by your guarantor on the back Book all tickets, hotels, and other travel bookings under the name that will appear on your page pagenent!

that will appear on your new passport!

Information for changing your passport was found at this link:

https://www.canada.ca/en/immigration-refugees-citizenship/services/canadian-passports/change-name.html#adults

Please visit the link for more information.

PERMANENT RESIDENT (PR) CARD

This section of the guide applies to people that already have their permanent residency, and are looking to change their name on their PR card. For folks with other immigration statuses, unfortunately you cannot use the process in this guide to get your first PR card.

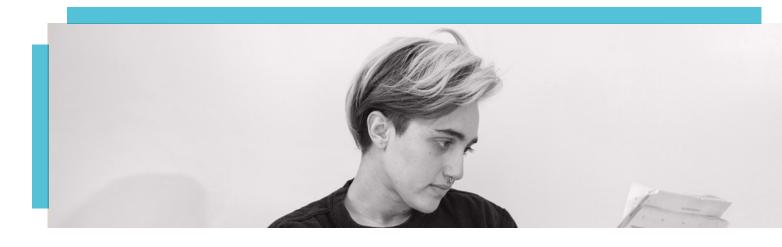


If you are interested in becoming a Canadian Citizen, before you apply for your new PR card, you can check your eligibility for citizenship at this link:

https://eservices.cic.gc.ca/rescalc/resCalcStartNew.do?&lang=en

If you are eligible for citizenship, you can submit name and gender marker change documents at the same time that you apply for citizenship.





SNAPSHOT OF PROCESS



COST

\$50, plus \$85 for the collection of biometrics (fingerprints) for some applicants. You are required to provide biometrics ONLY if:

- You applied for your PR on or after July 31, 2018, and
- You were less than 14 years old at the time you applied for your PR, and
- You are older than 14 years old now
- If these three criteria describe you, you will have to pay an additional \$85 fee, and will receive a letter instructing you on how to collect your biometrics AFTER you submit your PR card application



PROCESS

You will have to apply for a new Permanent Resident Card through the normal PR card replacement process (steps described below)



TIMELINE

Estimated 100-day processing time



WHAT YOU WILL NEED

There is a full document checklist following the "Steps" section

STEPS





If your documents are not in English or French, they will need to be translated.

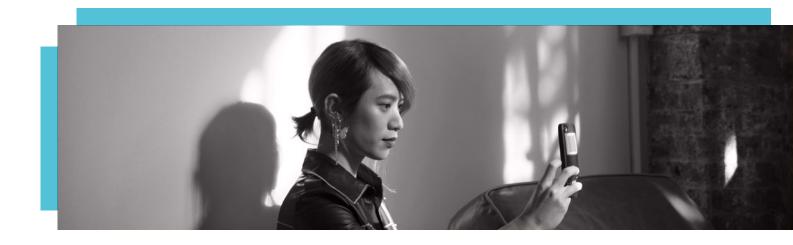
You can do this by either:

- 1. Your current PR Card
- 2. A photocopy of a primary identity document, which could include:
 - Your current passport or travel document
 - The passport or travel document you had when you became a permanent resident
 - Certificate of identity or travel document issued by the Minister of Immigration, Refugees and Citizenship Canada or a foreign country
- 3. Two photos that meet the specifications in the application form
- 4. Your name change certificate
- Optionally, if you want to change your gender marker at the same time, a completed copy of <u>Request form for a Change of Sex or</u> <u>Gender Identifier [CIT 0404]</u>. Changing both at the same time will save time and money.
- Working with a certified translator, or
- Getting the documents translated by someone who is not related to you. However, if they are not a professional translator, they will need to sign an affidavit in front of a commissioner or notary public (see the name change guide steps for a description of how to do this).

NOTE: The website states: In exceptional cases, if it is impossible for you to obtain any of the primary identity documents, you must provide a:

- Photocopy of any identity document issued outside Canada before you came to Canada, or
- Statutory declaration signed by you attesting to your identity, and
- Statutory declaration also attesting to your identity signed by:
 - A person who knew you before you came to Canada (such as a family member) or
 - An official of an organization representing people from your country of nationality or past residence

A statutory declaration is a statement used to assert the truth of any fact or facts or of any account in writing. A statutory declaration has the same legal effect as evidence given under oath, therefore all statutory declarations must be certified by an accredited commissioner of oaths.



Fill in the application form

Visit: https://www.canada.ca/en/immigration-refugees-citizenship/services/application/application-forms-guides/guide-5445-applying-permanent-resident-card-card-first-application-replacement-renewal-change-gender-identifier.html#5445E5

- The application form will ask for a range of personal information and immigration history
- The application form will also require you to list every time you have been outside of Canada in the last five years, or since you became a PR

3 Pay the fees

The fee for a new PR card is \$50. If you require biometrics, there is an additional fee of \$85

- You must pay your fees online using a credit card or debit card before submitting your application. No other payment types are accepted.
- You must print your payment receipt and include it with your application



Mail the completed paperwork to the address below: Case Processing Centre — PR Card P.O. Box 10020 Sydney, NS B1P 7C1 Canada

Information for this section of the guide was found on www.cic.gc.ca.

CITIZENSHIP CERTIFICATE/CARD

This process is to change your information on your citizenship certificate for people that already have their citizenship. It is not the process to acquire your original Citizenship Grant. If you are applying for citizenship for the first time, follow the process at:

https://www.canada.ca/en/immigration-refugees-citizenship/services/application/application-forms-guides/application-canadian-citizenship-adults.html

SNAPSHOT OF PROCESS



COST

• Processing Fee: \$530

• Right of Citizenship Fee: \$100



PROCESS

- Follow the steps for an Application for a Citizenship Card:
 - i. Download, print and complete all forms
 - ii. Collect documents needed
 - iii. If documents are in a different language than English or French, translations combined with an affidavit from the person who did the translation (not a family member) must be provided
- Provide the documents that demonstrate you legally changed your name (Name Change Certificate)
- Mail Documents to: Case Processing Centre Sydney-Proofs P.O. Box 10000 Sydney, Nova Scotia B1P 7C1



Make sure all forms are signed and dated! Otherwise, they will be returned and processing will take much longer.



TIMELINE

- Processing time can be up to 5 months
- This process can take another 3-4 months if applying from outside of Canada. There is the option for urgent processing but this is generally limited to certain cases of urgent travel, access to benefits or proof for employment.



TIP

There is a tracking platform in which you can check the status of the citizenship application online. You can also update the application if need be through the online Web Form.



WHAT YOU WILL NEED

- Application for Citizenship Certificate, complete, signed and dated
- Two Citizenship Photographs, which can be taken at any passport photo studio and use the same specifications as passport photos
- Two pieces of Personal Identification
 - Examples: Driver's License, Age of Majority Card, Passport, Certificate of Indian Status Card, Health Insurance ID, Senior Citizen's Card, Travel Document
- Proof of Payment
- Proof of Legal Name Change Certificate
 - This can be submitted at the same time as the Change of Sex or Gender Identifier
- If applicable:
 - Use of Representative For translation
 - Statutory Declaration Request of change of sex or gender form, signed and dated
 - Submit a Request form for a Change of Sex or Gender Identifier
 - All original citizenship certificates, retention documents or registration of birth abroad certificate (if previously issued citizenship)
 - If born in Canada without a citizenship certificate, birth certificate/other nationalities acquired by you and your Canadian parent before Feb 1977
 - If born outside of Canada, must provide original Birth Certificate, proof of all nationalities, proof of Canadian citizenship of parent and any supporting documents supporting relationship between parent and applicant
 - Any immigration documents demonstrating citizenship and landing



TIP

To save money and cut down on processing time, if applicable, it is better to apply for both a gender identifier change and name change at the same time due to the long processing time and the higher fees associated with the citizenship process.

Information for changing citizenship certificates was found on the Government of Canada's website at this link: https://www.canada.ca/en/immigration-refugees-citizenship/services/application/application-forms-guides/guide-0001-application-citizenship-certificate-adults-minors-proof-citizenship-section-3.html

TRAVEL DOCUMENT FOR STATELESS AND PROTECTED PERSONS IN CANADA



COST \$160



PROCESS

- You can apply for a Travel Document if you have a Permanent Resident or temporary resident permit, verification of status, positive pre-removal risk assessment results letter, or a notice of decision issued by the immigration and Refugee Board of Canada
- The name and gender written on the new application form must match existing supporting ID (i.e., you will need to update other forms of ID prior to applying for the travel document)



TIMELINE

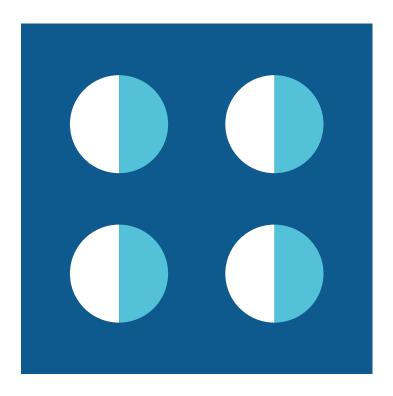
Processing time of 20 business days



WHAT YOU WILL NEED

- Need at least one document to support your identity
- It must be valid and issued in Canada or local equivalent
- Must include: name, date of birth, signature, and photo
- Can use multiple documents to meet this criterion

Information for travel documents for stateless and protected persons was found at this link: https://www.canada.ca/content/dam/ircc/migration/ircc/english/passport/forms/pdf/pptc190.pdf



STEP



Step 5: Other Places to Update Your Name

Once your name change certificate and IDs are in order, there are still many other places that you may need to update your name. The process will look a little different for each of these, so this list is just to jog your memory about some of the places that your legal name might be on file:

1. Schools, Colleges, and Universities

Most will also have an optional process to change your name on degree(s) you have already earned

2. Your Employer

Upon receipt of your name change certificate, employers should issue paycheques in new name and change HR files

3. Banks

Accounts and cheques if you use them

4. Credit Cards

5. Credit Bureaus (Equifax and Trans Union)

Many people may not think about credit bureaus, but if you need to apply for a loan, line of credit, or mortgage in the future, it is best to update these records now, since the process can be slow

6. Billing Accounts

Such as phone bills, utilities, internet, etc

7. Doctor's Offices

Provide your new name and OHIP code to your medical care team

8. Your Landlord

If you feel safe disclosing this to your landlord, it can be a good idea to update your lease record (especially if they will now be receiving cheques or e-transfers in your new name)

9. Canadian Revenue Agency

10. Elections Canada

11. Extended Health Benefits

12. Any Legal Documents, such as Wills, Estates, and Power of Attorney