

# the **Scrivener**

## Personal Planning Checklist

- Will
- Representation Agreement
- Advance Health Care Directive
- Power of Attorney

ARE YOUR DOCUMENTS CURRENT?

CONTACT YOUR LOCAL BC NOTARY!

## BC MAKE-A-WILL WEEK:

OCTOBER 20 TO 26, 2025

# Duty, Honour, and Traditions



**RIMPY SADHRA**

## Navigating Wills in South Asian Communities in BC

→ **The very first Will instructions I completed as a BC Notary Public was for an elderly Punjabi man I called “Uncle Ji.” In the South Asian community, that is the way you show respect to your male elders, regardless of whether that person is your actual uncle.**

The man’s daughter had called to advise he was in hospital on his deathbed and needed a Will. Greeted by all his children, I entered Uncle Ji’s hospital room, completely sterile-gowned and masked to take his Will instructions. Our in-depth conversation about his family included how hard he and his late wife had worked, information about his married kids and grandchildren, and how well all his kids had taken care of him since he had fallen ill—especially his daughter.

He said he was very blessed.

When it came time to discuss the distribution of his estate, he chose to leave everything equally to his two sons and nothing to his daughter. He told me he had paid for his daughter’s wedding and given her \$50,000 in the past.

His sons were going to get a lot more money than that. He said it was the responsibility of his sons to take care of their sister and support her if she ever needed it.

Several thoughts and emotions arose in me . . .

- Hadn’t he paid for both his sons’ weddings?
- Hadn’t he supported his sons financially over the years?
- Was a dowry involved in his daughter’s wedding?

- Was he now being fair to his daughter?

Uncle Ji believed he had done his duty and provided enough for his daughter . . . she has her own separate family and, when needed, there is the promise that her brothers would be there to help her.

As a South Asian woman, I understood the customary rationale behind his decision but I felt the imbalance to his daughter in his Will instructions. After I advised him of his legal obligations under WESA, the *Wills Variation Act* in BC, he acknowledged my advice but was firm in his decision—saying his kids were aware of his wishes.

As I concluded our meeting, I didn’t know whether I would proceed further. Outside his room, I spoke briefly with the adult children. The daughter said she had already spoken to her father about his wishes and was fully aware of his decision to leave everything to her brothers. She was also aware she had a legal right to a share of her father’s estate. She didn’t want it—she loved her father and wanted to respect and honour his wishes. Her brothers felt the same . . . and that was the way it was going to be.

I drafted the Will as per Uncle Ji’s wishes and returned to the hospital to have him sign the document. A few days later, he passed away.

I grew up hearing about family lineage, the importance of the family name and honour, and that the family inheritance passes to sons. I heard it through family members and friends and saw it in the movies. Therefore, I viewed it as normal; it was our culture and I accepted it. Only when I reached my early 20s did I really begin to question that tradition.

### Present Day

Over the past 14 years in my Notary practice, I have learned that cultures and traditions vary in many communities. Such traditions are not exclusive to South Asian culture. I believe it is imperative for legal professionals to understand the cultural norms in their communities, to better serve and advise residents in their unique estate-planning matters. For BC Notaries, navigating that terrain requires both cultural empathy and the vigorous application of noncontentious law, to balance respect for heritage and modern legal responsibilities.

To build trust in BC’s diverse communities, we must approach clients with sensitivity. Conversations should encourage more open dialogue and not be based on assumptions. Legal professionals are conduits between cultural practices and the law. The more education we offer to community members about their legal obligations to spouses and children, the better they will understand the current law.

Like many other communities, South Asian communities are still deeply rooted in traditions; their family lineage passes through the male line and the sons are seen as the carriers of the family name. Patriarchal inheritance is born of longstanding social norms and concerns about preserving property and business. Although that mindset is slowly moving away from traditional practices, legal professionals need to consider the growing new-immigrant population who may still hold onto old cultural values.

Women often bear the burden of navigating family pressure. Many choose not to challenge unfair Wills due to the fear of family conflict, shame, or the compromise of family honour. The desire or fear around upholding traditions weighs heavily on many families and can lead to the generational breakdown of relationships.

Some families still don't wish to discuss those matters. For example, the elder generations may shield younger family members from such discussions to preserve hope or control or to avoid discomfort about the fear of death.

Other families may be silent when it comes to finances and inheritance. The topic of money may not be discussed openly or it is limited to conversations

with the males in the family. Advance health care may also not be discussed. Those protocols make it challenging when it comes to necessary estate planning.

Often, the elder generation may not contribute their thoughts on other taboo-topics such as funerals or Wills or Powers of Attorney. To speak of such matters may not be appropriate. Until recently, conversations about death or inheritance were often shrouded in silence, viewed as too private, unseemly, or even harmful to family harmony.

Dear colleagues and readers, I am grateful for the opportunity to share some thoughts on cultural awareness and the inheritance traditions that shape estate-planning practices in many

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communities. It is important to explore how we can respectfully apply the legal framework in British Columbia together . . . for effective Personal Planning. 🏰

Regards,  
Rimpy Sadhra,  
West Coast Notaries

**KEYNOTE  
EDITOR-IN-CHIEF**

# Every Week Is Make-A-Will Week

➔ **BC's Make-A-Will Week is supported by the articles in the theme section of our Fall magazine.**

Every week is really Make-A-Will Week! Your local BC Notary will be delighted to assist you to create the legal documents you need for your Personal Planning portfolio.

What are the benefits of having those legal documents in place?

They include your peace of mind and the future facilitation for those who will be involved in managing your estate matters when the legal documents are needed. Those individuals may include health care professionals.

*Estate* is an umbrella word that covers your financial holdings or interests, minor children, pets, property, possessions, and so on.

Some people have a lot; some have a little.

For each of us, a Will is necessary to express our wishes . . . so they will be carried out at a later time. For those without a valid Will, the Office of the Public Guardian and Trustee in BC will take over the distribution of our assets and charge our estate for their work. Although that fact is mentioned in two articles in this issue, it is so important that I have noted it here. Not having a legal Will when we pass is called being intestate. That's not a good thing!

This can be your Make-A-Will week! 🏰



**VAL WILSON**