



**HULL & HULL LLP**  
Barristers and Solicitors

### Organ Donation

Over 85% of Ontarians support organ donation, but less than 25% have actually registered their consent to donate through the Trillium Gift of Life Network. Consent to the donation of organs and/or tissues can be registered at the Trillium Gift of Life Network website at <https://beadonor.ca>. Today, nearly 1,500 people are waiting for a life-saving transplant. One donor can save up to eight lives through organ donation and enhance as many as 75 others through tissue donation. Organ and tissue donation may not be top of mind for most people, but wills and estates practitioners have the unique opportunity to bring this important and relevant issue to the attention of clients who are already considering end-of-life issues. Estate planning can be about saving more than just probate fees.

The primary issue associated with organ donation for the purposes of estate planning is the communication of the testator's wishes for his or her organs and/or tissues to be donated. It is recommended that these wishes be discussed with estate trustees and family members, whether expressed within a will or not.

Suggested checklist questions for drafting solicitors include the following:

- Whether the testator wishes for organs and/or tissues to be donated following death;
- Communication to estate trustee of wishes regarding organ donation;
- Communication to (other) family members of wishes regarding organ donation;
- Discuss registration of consent with Trillium Gift of Life

Drafting solicitors may also wish to review the Trillium Gift of Life Network's Toolkit for Estate Planning Lawyers.