



<b>WITNESSING OF DOCUMENTS</b>		Policy Number: <b>1601</b>
		Effective Date: January 1, 2006
Approved By: Management Committee	Drafted By: Director of Finance	Date Revised: October 17, 2012
Classification: Legal Administrative		Page No: Page 1 of 2

**POLICY**

Employees and volunteers of The Salvation Army Agapé Hospice shall not involve themselves in the preparing, drafting, or witnessing of Wills, Powers of Attorney or other legal documents.

**Exception:** Only individuals certified by the Lions’ Eye Bank will be authorized to prepare and witness documents pertaining to eye donations.

**REASON**

There is a risk that The Salvation Army’s involvement in preparing or witnessing a document may expose it or its employees and volunteers to allegations of “undue influence” and leave the document open to legal challenge. The risk of an “undue influence” claim is particularly high in a facility such as Agapé Hospice where we deal with people who are in a vulnerable state. There is a danger that Agapé Hospice or its personnel could be accused of misusing the influence that comes with providing care for our Residents.

For example the witnessing of a Will by a Salvation Army officer, employee or volunteer may void any gift to Agapé Hospice where Agapé is named as a beneficiary; in addition this may leave the Will open to unnecessary legal challenges as other beneficiaries may challenge the bequest.

**PROCEDURE**

If employees or volunteers are approached by any of our Residents or their family members to help them prepare a Will or witness it they are to politely decline and refer the requesting party to the Directors of Resident Care or Finance.

The services of a lawyer should always be recommended in spite of the fact that inexpensive “Will kits” are available at most stationary supply stores.



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### **CROSS REFERENCES**

[The Salvation Army Agapé Hospice Policy #0177 – Eye Donation](#)

### **REFERENCES**

[The Salvation Army Operating Policy 5507 – Estates – Basic Policy](#)

[The Salvation Army Operating Policy 5504 – Estates – Specific](#)

[The Salvation Army Operating Policy 5501 – Estates – Processing](#)