



**BEACON  
LAW CENTRE**  
Lawyers & Notaries Public

**Specializing in**

- real estate law
- business law
- wills & estates

**With us you receive:**

- plain language
- up-front approach
- work quoted by the job, not the hour.
- prompt service
- friendliness
- value for money

**Offices in:**

- Sidney
- Brentwood Bay
- Broadmead

*More info on back page*

**“You cannot plough through a field by turning it over in your mind”**

*– unknown*

# Raising the Bar

Issue 1, Summer, 2010

Welcome to *Raising the Bar*, a quarterly newsletter for clients and friends of Beacon Law Centre. We intend this newsletter to maintain a valued business relationship at any stage – even after our legal services for you are completed.

With *Raising the Bar*, we hope to keep up the best aspects of our service: meaningful information, trusted advice, and outstanding service. In turn, you can pass on our name, and maybe even this newsletter, to someone else who might need our services.

**FIRST PERSON:**

## the Estate of Karen Hathaway

By the age of 62, Karen Hathaway had accomplished plenty. She had worked as a nurse for almost 40 years, been widowed after 34 years of marriage, kept a good home for herself and her family, and raised three kids to adulthood – one severely disabled. Yet, it was at age 62 that she went to Beacon Law Centre seeking help. Karen had terminal cancer and sought counsel to update her will.



**one heart-rending prospect**

The reason why she did not have a current will when she went to Beacon Law Centre was that she found one prospect heart-rending. Karen planned to leave nothing to her disabled child, Ronnie. She had heard that if Ronnie received an inheritance, he would be cut off from his disability benefits until the inheritance was exhausted. Also, Ronnie would never be able to manage the inheritance on his own. “I would really like more options,” she said.

**options found**

Karen was not aware that, if her disabled child were omitted from her will, the Public Guardian could apply on behalf of the child to vary her will under the Wills Variation Act to gain control of a portion of her estate for her disabled child, Ronnie. This was not the only option for her to consider, though.

**best option proposed**

After careful review of her case, Beacon Law Centre proposed something else: to create a discretionary trust in Karen’s will. This

would bring several advantages to the matter of drafting a will and satisfy Karen that she had done the best for all of her survivors, including Ronnie.

**solution to grievous problem**

The discretionary trust would provide a fund for Ronnie while preserving his eligibility for disability benefits. The assets would be protected from anybody who might try to take advantage of him, and the trust could receive gifts from others, with assurance that any gift would be expertly managed.

**estate well planned**

Before Karen died, her will had been finalized with help from Beacon Law Centre and the trust established. The trustees – Ronnie’s elder sister and a close family friend – look after the trust fund for Ronnie. The inheritance now enriches the quality of life for Ronnie and his siblings, and ensures that their future needs be met. Also, he continues to receive disability benefits.

**family well cared for**

The trustees are now considering using the trust fund to purchase a condo for Ronnie. Then, he could move out of his rental apartment and live more independently. Nobody doubts what he will place on his living room wall once he moves in: a much-loved portrait of Karen, who continues to care for her kids even now that she’s gone. Beacon Law Centre now handles legal matters for friends of the trustees on referral. 🏠

*This story is a composite of real-life stories. No client names have been used.*

## CELEBRATING OUR 10TH ANNIVERSARY!

In 1999, Del Elgersma was Principal of the law firm Elgersma and Company. By May 1, 2000, Lianne Macdonald had joined forces with him and a new firm came into being. They named it Beacon Law Centre. This happened ten years ago. The anniversary is celebrated now.

When called to bar of British Columbia in 1992, Del was youngest lawyer in BC. The recipient of multiple scholarships at the University of Victoria, Lianne began practising law on the Peninsula in 1991.

Before becoming partners, the two identified shared values for the firm. Beacon Law Centre treats clients, staff, and families with dignity and respect. "We are truthful

and fair. We value excellence, loyalty, honesty, integrity, and the highest ethical standards of practice."

Now ten years along, the firm is thriving with three main areas of practice: real estate, business law, and wills & estates. Beacon Law Centre employs 10 wonderful staff, has had associate Kelvin Scheuer onboard since 2008, and operates from three offices. The office in Broadmead opened in 2003; Brentwood Bay in 2009.

Del and Lianne say, "We love our work. We love working together. We even took our families to Disneyland to celebrate this anniversary." Many thanks to the community and to clients and friends of Beacon Law Centre. 🏰



The Elgersma family and Macdonald family celebrate in Disneyland.



Del Elgersma,  
Lawyer, Partner



Lianne Macdonald,  
Lawyer, Partner



Kelvin Scheuer,  
Lawyer, Associate

## LEGAL NEWS

- Provincial disability benefits are available to individuals 19 years or older with a qualifying disability.
- Since December 1, 2008, it has been possible to contribute to a Registered Disability Savings Plan (RDSP). An RDSP has many features similar to a Registered Education Savings Plan (RESP) and Registered Retirement Savings Plan (RRSP).
- Provincial policy allows a disabled person to create a trust to receive an inheritance, personal injury settlement, or other amounts due to him or her without losing BC disability benefits.
- Beacon Law Centre specializes in estate planning, including trusts for disabled individuals. 🏰

## COMMUNITY INVOLVEMENT

### Camp Imadene

Some of Beacon Law Centre's staff and families are actively involved with Camp Imadene on Mesachie Lake near Lake Cowichan – both attending camp and volunteering. Beacon Law Centre has also provided pro-bono work to assist the camp, which has much to offer community children, teens, families, and groups. For more information, visit [www.imadene.com](http://www.imadene.com)

### Rotary Club of Sidney By the Sea

Lianne Macdonald is an active member of the Rotary Club of Sidney By the Sea. The club's works include health, hunger, and humanity projects at home and abroad. The club recently held a Monte Carlo Fun Night to raise money to support the development of the Sidney/North Saanich Bike Park. Visit [www.clubrunner.ca/sidneybythesea](http://www.clubrunner.ca/sidneybythesea) for more information. 🏰

## THREE LOCATIONS

### Sidney

104-9717 Third St.  
Sidney, BC, V8L 3A3

### Victoria (at Royal Oak)

4599 Chatterton Way,  
Victoria, BC, V8X 4Y7

### Brentwood Bay

5-7115 West Saanich Rd.  
Brentwood Bay, BC, V8M 1P7

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Beacon Law Centre (BLC) is a leading south-island boutique law firm. BLC concentrates on real estate, business law, wills, and estates. We provide service from offices in Broadmead, Sidney, and Brentwood Bay. *Raising the Bar* is one way we keep in touch with clients and friends. We also respect your confidentiality. If you want us to add or remove your name and address from the *Raising the Bar* mailing list, then send e-mail to [newsletter@beaconlaw.ca](mailto:newsletter@beaconlaw.ca). Please share the newsletter with others. When you recommend BLC, that is our best advertising.