LET RIGHT PREVAIL

The Law Society of Upper Canada | Barreau du Haut-Canada

THE SIX-MINUTE

Estates Lawyer 2017

Biographical Summary of Speakers

(In Alphabetical Order)

May 8, 2017

Continuing Professional Development

Jordan M. Atin

COUNSEL

HULL & HULL LLP

(416) 369-0335
jatin@hullandhull.com

Jordan is a Certified Specialists in Estates and Trusts Law and an Adjunct Professor of Law at Osgoode Hall Law School in Toronto, Canada.

Lexpert rates Jordan as one of its top recommended estate lawyers in Canada as well as being rated as a Best Lawyer in Canada.

In addition to his planning and administration practice, Jordan is Counsel to Hull & Hull LLP and a senior mediator with Hull Estate Mediation Inc.

He is a Past Chair of the Ontario Bar Association - Trust and Estates Section and a full member of the Society of Trusts and Estate Practitioners (STEP). Jordan was the inaugural winner of the OBA's *Hoffstein Prize* in recognition of his contributions and achievements in the area of wills, trusts and estates.

Jordan Atin is the founder of IWEE - the Institute for Wills and Estate Education. IWEE (www.iwee.ca) provides monthly small group intensive workshops for estate professionals.

He is a frequent presenter and Chair at STEP, Osgoode Hall Law School, Metropolitan Toronto Lawyers' Association, Ontario Bar Association and Law Society programs on estate matters. Jordan is a contributing author to the well-known text "*Estate Litigation*" and his articles are referred to in many of Canada's leading estates texts including "*Widdifield on Executors and Trustees*", *Feeney's Canadian Law of Wills*", "*Drafting Wills in Ontario*" and "*Oosterhoff on Wills and Succession*".

Jordan's book for non-lawyers, *The Family War – Winning the Inheritance Battle,* has been featured on CanadaAM, BNN and in dozens of Canadian and US newspapers.

WeirFoulds LLP

150 150 150 150 Years

Clare E. Burns

Partner
Direct 416-947-5002
Fax 416-365-1876
cburns@weirfoulds.com

Clare Burns is an experienced litigator who acts in complex and highly sensitive matters. Her practice focuses on trusts, estates and capacity litigation. She has appeared at all levels of Court in Ontario and at the Supreme Court of Canada.

Outside the firm, she is actively engaged in the profession and broader community. She has been a Director of The Advocate's Society and Vice President of the National Association of Public Trustees and Guardians.

Clare has taught estates, children's law and trial advocacy at the University of Toronto Law School, Osgoode Hall Law School and the University of Western Ontario Law School.

In 2014, Clare was honoured with a Lexpert Zenith award for her work in trusts and estate matters.

Practice Areas
Litigation

Wills and Trusts

Called to the Bar
Ontario (1991)

Education
Osgoode Hall Law School
LL.B. 1988

London School of Economics and Political Science, University of London
LL.M. 1990

Languages
French

Colleen Carson is currently a Tax Specialist with over 15 years of service with the Ministry of Finance. She provides a variety of services to our internal and external clients, including interpretations, research and analysis, issues management and executive support.

Colleen holds a law degree from Osgoode Hall Law School and was called to the Ontario bar in 2002.

JUSTIN W. de VRIES

Justin is the Principal of **de VRIES LITIGATION LLP**. With offices in Toronto and Oakville, the firm specializes in estate, trust, and capacity litigation and administering estates.

Justin was a partner at Fraser Milner Casgrain LLP and Hull & Hull LLP before founding his own firm. Justin is a member of STEP, the Advocates' Society, the Estate Planning Council of Toronto, and the Estate Planners' Council of Halton. Justin routinely mediates estate, trust and capacity disputes. He has consistently been named one of the "**Best Lawyers in Canada/Trusts & Estates**".

In addition to completing his LL.B., Justin received an American law degree from the University of Detroit/Mercy School of Law, an Honours B.A. from the University of Toronto, and a French language diploma from Aix-Marseille Université in France. Justin was also a Fox Scholar at the Inns of Court in London, England.

Justin has appeared before all levels of the Ontario Court, the Federal Court and litigated Supreme Court of Canada leave applications. His clients include individuals, private banking and wealth management groups, trust companies, estate trustees, as well as private trusts, charities, and foundations. Justin has litigated:

- Contested wills and dependant support claims
- Trustees' and executors' accounts
- Estate administration and probate issues
- Trustee disputes/Variations of trusts
- Powers of attorney and guardianship disputes

Justin has acted as a court appointed pre-trial judge, pro-bono disciplinary counsel for the Law Society of Upper Canada, and is counsel to the Oakville Community Foundation and The Yonge Street Mission. Justin has been appointed as an estate trustee during litigation by the courts in complex estate litigation proceedings. He is the founder of the popular blog site "allaboutestates.ca", a collaborative, daily blog with a wide audience.

For 15 years, Justin was a contributing editor to <u>Ontario Civil Practice</u>, a leading text on the Ontario *Rules of Civil Procedure*. He has published articles in Estates & Trusts Pensions Journal, The Litigator, Toronto Law Journal, OBA's Deadbeat, Money & Family Law, Lawyers Weekly, and Gift Planning in Canada. Justin is also a contributor to the annual publication Key Developments in Estates and Trusts law in Ontario.

Justin can be reached at **416.640.2757 (Toronto)** or **905.844.0900 (Oakville)** or by email at **jdevries@devrieslitigation.com**. Visit www.devrieslitigation.com.

SUSAN EASTERBROOK is a mediator and lawyer, who provides estate litigation, mediation and estate administration services for her clients.

Mrs. Easterbrook holds a Certificate in Alternate Dispute Resolution from York University and is certified by the Law Society of Upper Canada as a Specialist in Estates and Trusts Law. She was admitted to the Ontario bar in 1990, having received the Benjamin Luxenberg Award for the highest standing in the Debtor-Creditor Rights exam in the 31st Bar Admission Course. She received an Honours Bachelor of Commerce Degree, an MBA, her law degree and a Certificate in Mediation, all from the University of Windsor. Mrs. Easterbrook was an instructor with The Law Society of Upper Canada Bar Admission Program (Estates section) and has lectured at the University of Windsor in estate law, taxation, behavioural management and industrial relations.

Her current professional memberships include full membership in the Law Society of Upper Canada, Essex Law Association and Society of Trust and Estate Practitioners (STEP). She has completed the Canadian Institute of Chartered Accountants In- Depth Tax Program.

Mrs. Easterbrook has over 35 years of community involvement as a director of various non-profit boards in Windsor and Toronto and as a guest speaker for numerous community groups. In addition to her community involvement, Mrs. Easterbrook is a contributing author to "Key Developments in Estates and Trusts Law in Ontario, 2008, 2009, 2010, 2012, 2013-2014 and 2014-2015 eds. and an author of "Mediating Estate Disputes" published in 2003 by Canada Law Book Inc. She has co-authored a case book on Personnel Administration, presented papers on various estate issues for The Law Society of Upper Canada and the Ontario Bar Association Annual Institute and published articles in The Lawyers Weekly.

SUSAN EASTERBROOK PROFESSIONAL CORPORATION
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Tel: 519-254-5444 Fax: 519-971-0567 email: easterbrooklaw2@gmail.com

PROFESSIONAL PROFILE

PAUL J. GIBNEY

Paul Gibney is a senior partner of the Toronto office of Thorsteinssons LLP, Tax Lawyers. He received his B. Comm. from the University of British Columbia and his LL.B. from the University of Toronto. Paul is called to the bar in both Ontario and British Columbia. In 1996 and 1997, Paul spent eighteen months in Ottawa where he was the Policy Advisor to the Minister of National Revenue.

Paul's practice is restricted to income tax matters including corporate tax planning, estate planning, international taxation, taxpayer representation and litigation. His focus is mainly on private clients, both domestic and international.

Paul has spoken on taxation matters at numerous conferences including the annual Canadian Tax Foundation Conference, the annual CBA Tax Law for Lawyers Conference, the Corporate Management Tax Conference, the annual STEP National Conference, the STEP Caribbean Conference, the International Bar Association, the CBA Will, Estate and Trust Fundamentals course for Estate Practitioners as well as a number of programs put on by CCH Canada, Infonex, Strategy Institute, STEP, CALU, Canadian Institute and Canadian Importers Association. He has written materials for the Law Society of British Columbia's Continuing Legal Education program and is a contributor to various tax publications, such as the Key Developments in Estates and Trusts Law in Ontario and Euromoney Corporate Handbook. He has also been an instructor for the Law Society of Upper Canada's Bar Admission Course and the Ontario Institute of Chartered Accountants. Paul is also an advisor and director of numerous private foundations.

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Marcia Green

marcia.green@nelligan.ca | 613-231-8335

Areas of Practice
Wills and Estates
Civil Litigation

Education
1990 B. Soc. Sc., Mathematics and Sociology, University of Ottawa
1994 LL.B and B.C.L., McGill University
1996 Call to Ontario Bar

Professional Activities and Organizations
Ontario Bar Association
The Law Society of Upper Canada
County of Carleton Law Association
Canadian Bar Association
Women's Business Network of Ottawa
-Past-President

Marcia A. Green is an associate lawyer with Nelligan O'Brien Payne LLP, practising in the areas of wills and estates and civil litigation. She is bilingual and offers services to clients in both English and French.

Prior to joining the firm, Marcia was with a boutique litigation firm in Ottawa where she practised civil litigation in both official languages. She has represented clients on claims involving breach of contract, negligence, construction liens, guardianship applications and passing of accounts in estate matters.

Marcia has been a guest speaker at numerous conferences organized for law clerks and paralegals and for provincial lawyer associations. She has also written numerous articles on the topic of civil litigation for the Ottawa Business Journal, and on estate matters in Fifty-Five Plus Magazine.

Marcia was a member of the Organizing Committee of the CCLA Civil Litigation Conference and is the Past-President of the Women's Business Network of Ottawa.

There are many different ways to solve a legal problem, and Marcia enjoys talking and working with her clients to help them understand their options to achieve their ultimate goal.

Outside of the office, Marcia enjoys running and working out at the gym, mainly so that she can continue to cook and experiment with all types of cuisine - she is an aspiring foodie. Marcia also enjoys spending time with her husband and two children.

Brad Hughes

Brad Hughes has been with the Ontario Ministry of Finance for over 10 years. His current role is Audit Manager with responsibility for audit activities concerning the Estate Administration Tax and Employer Health Tax.

Brad is a graduate of Wilfrid Laurier University and the Certified Management Accountant's program.

Ian M. Hull

Hull & Hull LLP – Partner

Certified Specialist (Estates and Trusts Law)
Certified Specialist (Civil Litigation)

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E-Mail: ihull@hullandhull.com
Website: www.hullandhull.com

Hull Estate Mediation Inc. – Mediator

Website: www.hullestatemediation.com

Admitted to the Ontario Bar in 1990.

Author of

- Co-author of *Probate Practice* 4th and 5th Edition (Carswell) – 1996 and 2016
- Co-Author – Feeney's Canadian Law of Wills, 4th Edition (LexisNexis)
- Co-Author – Halsbury's Laws of Canada – Wills-Estates (2016 Reissue) (LexisNexis)
- Author – Challenging the Validity of Wills (Carswell)
- Author of *Power of Attorney Litigation,* (CCH) and *Challenging the Validity of Wills* (Carswell) - 2000
- Author of *Advising Families on Succession Planning: The High Price of Not Talking* (LexisNexis) - 2005
- Contributing Author of *Key Developments in Estates and Trusts Law in Ontario*, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016 Editions
- Contributing Author of *Widdifields on Accounts* – Annually
- Canadian Estate Administration Guide (LexisNexis)
- Estates and Trusts Reports (Carswell)
- Contributor to Lexis Practice Advisory – Canada – wills and estates module, passing of accounts and estate litigation modules

Memberships

- Canadian Bar Association
- The Advocates' Society, and member of Estate Litigation Practice Group
- Former member of the Executive of the Trusts and Estates Section of the Ontario Bar Association
- Toronto Lawyers Association
- Halton County Law Association
- Society of Trust and Estate Practitioners (STEP), former member of the STEP National Executive
- Fellow of the American College of Trust and Estate Counsel (ACTEC)
- Academician of The International Academy of Estate and Trust Law
- Chair of the Board of Trustees Law Society Foundation
- Director, Osgoode Society

Alexandra Mayeski is a partner at Mayeski Mathers LLP with offices in Prince Edward County (a.k.a. Paradise). She is also "of counsel" to a Toronto health law boutique "DDO Health Law" providing litigation advice to hospitals and other health care organizations, mainly in the areas of access to information and privacy and consent and capacity under the *Health Care Consent Act, 1996*. Previously, Alexandra worked at Evans Sweeny Bordin LLP in Hamilton and Heenan Blaikie LLP in Toronto. While Alexandra maintains a broad practice, much of her practice focuses on estate, trust and capacity disputes as well as estate planning and administration.

CURRICULUM VITAE
W. ORMOND MURPHY

BIOGRAPHICAL INFORMATION:

Age 65

Married

One child

EDUCATION:

1972 graduated Bachelor of Arts, Queens University, Kingston

1975 graduated Bachelor of Laws, Queens, University, Kingston

1977 called to the Bar

WORK EXPERIENCE:

1977-1979	McMichael & Associates
1979-1980	McMichael & Murphy
1981-1984	Associate with Blaney, Pasternak, Smela & Watson
1984-1989	Partner with Blaney, McMurtry & Watson laterally known as Blaney, McMurtry LLP
1989-1994	Partner with McGovern, Roine
1994-present	Sole Practitioner in association with Tierney, Stauffer LLP

AREAS OF PRACTICE:

Wills, estates, trusts, estate litigation, and civil litigation

PROFESSIONAL ASSOCIATIONS:

1981 - present	Member of the Ontario Bar Association
1987-1998	Trustee of County of Carleton Law Association
1987-1992	Chairman of the Family Law Section of County of Carleton Law Association

1990-1995	Member of the Civil Litigation Bench and Bar Committee for the Judicial District of Ottawa-Carleton
1990-1995	Co-Chairman of the Family Law Bench and Bar Committee
1994-1998	Member of the Financial and Administration Committee, County and District Law Presidents' Association
1995-present	Member of the Advocates' Society of Ontario
1995- 1996	President of County of Carleton Law Association
1996- 1997	Past President of County of Carleton Law Association
1996- 2000	East Region Director for the County and District Law Presidents' Association
1996- 1998	Mediator for the Ontario Legal Aid Plan
1996- 1998	Member of the Mentor Programme sponsored by the County of Carleton Law Association
1996	Voluntarily conducted pretrials in assisting the Ontario Court (General Division)
1997- 1998 & 2011 - 2014	President of Thousand Islands' Association of Gananoque, Ontario and Alexandria Bay, New York
2014 - 2015	Past President of Thousand Islands' Association
1999- 2004	Treasurer for the County and District Law Presidents' Association
2000-2002	Second Vice Chair and Treasurer of the County and District Law Presidents' Association
2002-2004	First Vice Chair and Treasurer of the County and District Law Presidents' Association
2004-2006	Chair and Treasurer of the County and District Law Presidents' Association
2006 -2007	Past Chair and Treasurer of the County and District Law President's Association

2006 - present	Judicial Appointments Advisory Committee
current	Member of the Judicial Appointments Advisory Committee Member of Society of Trust and Estate Practitioners Member of the Ontario Bar Association Member of the Advocates' Society Mentor with the Advocates' Society

Guest lecturer and seminar leader of estate administration and estate litigation, Bar Admission course

Guest lecturer Bar Admission course - family law

Guest lecturer University of Ottawa Law School - family law, children and the law and estate planning

1987 preparation and presentation of paper on dependant support applications at Estate Litigation seminar, Law Society of Upper Canada, Toronto

1987 Chairman, Estate Litigation Seminar held in Ottawa by the Law Society of Upper Canada

1987 Chairman of joint seminar of the Law Society of Upper Canada and the Office of the Official Guardian on representing the child

1992 preparation and presentation of paper on prejudgment interest at Annual Institute of Family Law

1992 preparation and presentation of paper "Estate Litigation Costs" to the Civil Litigation Conference by County of Carleton Law Association, Montebello, Quebec

1992-1996 Co-Chairman of the Annual Institute of Family Law jointly sponsored by the County of Carleton Law Association and Faculty of Law, University of Ottawa

1995 preparation and presentation of paper on contested proceedings under the new estate rules at seminar "Estates: Changes and Developments", jointly sponsored by County of Carleton Law Association, University of Ottawa, Canadian Bar Association of Ontario and Law Society of Upper Canada

1995 presentation of paper on contested proceedings under the new estate rules at seminar "The New Estate Rules and Estate Administration for Law Clerks" sponsored by The Law Society of Upper Canada, Department of Continuing Legal Education

1996 preparation and presentation of published paper entitled "Intervivos Gifts and Evidentiary Presumptions" originally presented at the Special Lectures 1996, the Law Society of Upper Canada, Osgoode Hall, Toronto

1996 presentation of paper "Intervivos Gifts and Evidentiary Presumptions" to the County of Carleton Law Association Solicitors' Conference

1999 Older and Wiser, CBAO, panelist on "Analyzing Suspicious Circumstances"

2000 preparation and presentation of paper to the County of Carleton Law Association Institute of Family Law on family law and estate litigation

2000 County of Carleton Law Association Civil Litigation Conference, Panelist, Professional issues

2001 presentation of paper "Mandatory Mediation in Estate Litigation" to the County of Carleton Law Association Solicitors' Conference, Montebello

2002 presentation to Ottawa Chapter of Society of Trust and Estate Practitioners on the role of attorneys and guardians under the *Substitute Decisions Act*

2003 The Advocates' Society Mentor Program; presentation of paper "Use of Trusts to Secure Spousal Support Obligations" to the County of Carleton Law Association Institute of Family Law

2004 presentation of paper "Is *Tataryn* Now the Law in Ontario?" to the County of Carleton Law Association Civil Litigation Conference, Montebello

2005 presentation to the County of Carleton Law Association Solicitors' Conference, Montebello

2005 panelist, Colloquium on the Legal Profession, Integrity in Estates Practice

2006 9th Annual Estates and Trusts Summit, Law Society of Upper Canada, panelist with Lou Ann Farrell and Rodney Hull, Q.C.

2006 panelist, County of Carleton Law Association Civil Litigation Conference, Montebello

2007 presentation of paper "Capacity and Age Bias: Olden is Not Golden" , County of Carleton Law Association Civil Litigation Conference, Montebello

2010 panelist Kingston and the Thousand Islands Legal Conference, Gananoque, presentation of paper "Contesting Powers of Attorney"

2011 presentation of paper "Current Trends In Costs In Estate Litigation", County of Carleton East Region Solicitors Conference, Montebello

2011 presentation and paper "Mediation Update", County of Carleton Law Association Wills and Estates Program, Ottawa

2013 presentation of paper "Successful Mediation in Estate Litigation", Estate Lunch and Learn sponsored by Borden Ladner Gervais, Ottawa

2014 presentation of paper ""Ethical Obligations In The Context Of A Mediation Of A passing Of Accounts", Estate Accounting 2014, Toronto

2016 panelist Kingston and the Thousand Islands Legal Conference, Gananoque, presentation of paper "Oldies But Not Goodies: Issues For The Counsel Of Capacity Litigants"

Jan 30, 2017 guest lecturer at Queens University Law School on Will Challenges and How to Prevent Them

Deborah Petch

Deborah received her LL.B from the University of Ottawa in 1980 and was called to the Bar in 1982.

She joined the Lawyers' Professional Indemnity Company in 1995, after a general practice. Deborah is currently Senior Claims Counsel in the New Claims Unit. She specializes primarily in wills and estates and also handles claims in real estate and intellectual property matters.

Deborah is a past member of the executive of the Ontario Bar Association, Trusts & Estates Section and has spoken on solicitors' negligence in the wills and estates area at various CPD programs.

HULL & HULL LLP
Barristers and Solicitors
Trust Experience™

Suzana Popovic-Montag
Hull & Hull LLP – Managing Partner

Direct: (416) 369-1416
E-Mail: spopovic@hullandhull.com
Website: www.hullandhull.com
Twitter: @spopovic

Hull Estate Mediation Inc. – Mediator
Website: www.hullestatemediation.com

Practice

Suzana was admitted to the Ontario Bar in 1997 and is the managing partner of Hull & Hull LLP, who practices exclusively in the areas of estates, trusts, capacity and fiduciary litigation. She has extensive experience in contentious proceedings including will challenges, passings of accounts, fiduciary litigation, will interpretations and dependant's relief proceedings.

Suzana is also a specialized estate mediator (having been trained at Harvard Law School) with Hull Estate Mediation Inc., focusing on pre-death and post-death estate resolutions.

Publications and Presentations

Author of numerous academic articles published in various journals, including the *Estates and Trusts Reports*, the *Trusts and Estates Law Journal* (U.K.), *Trust Quarterly Review* (U.K.), and the *Estates and Trusts Pension Journal*.

- Co-author of *Probate Practice*, 5th Edition.
- Co-author of *Feeney's Canadian Law of Wills*, 4th Edition.
- Contributing Author of *Key Developments in Estates and Trusts Law in Ontario*, 2008 – current Editions.
- Co-editor for the *Wills & Trusts Law Reports (U.K.)* and the *Trust Quarterly Review (U.K.).*
- Regular contributor to *The Law Times* and *Lawyers Weekly*
- Former Publicity Liaison and member of the STEP Toronto Executive (2004 to 2013).
- Past Chair of the Trusts & Estates Section Executive of the Ontario Bar Association (member from 2003 to present).
- Guest lecturer at the University of Windsor Faculty of Law.
- Regular guest on Hull & Hull TV, a bi-weekly internet television show.
- Frequent speaker and presenter at conferences, podcasts and teleseminars in her areas of practice.

Professional Memberships

Canadian Bar Association, Ontario Bar Association, The Advocates' Society, Toronto Lawyers' Association, Halton County Law Association, Estate Planning Council (Mississauga), Society of Trusts and Estates Practitioners (STEP), and National Academy of Elder Law Attorneys, Inc.

Kathleen Robichaud is a sole practitioner. She has a business degree from the University of Ottawa obtained in 1994. She earned her law degree at Queens University, graduating in 1997. She articled at Perley-Robertson Hill & McDougall in Ottawa. She was called to the Ontario bar in 1999 and is a Lawyer member of the Law Society of Upper Canada. Shortly after articling, Kathleen moved to Toronto and practiced there until returning to the Ottawa area and settling in Manotick in July of 2010. She has worked primarily as a sole practitioner throughout her years of practice.

Kathleen is a member of the County of Carleton Law Association. She is co-chair of the organizing Committee for the East Region Solicitors Conference. She is the Secretary/Treasurer for the Small, Solo and General Practice Section of the Canadian Bar Association. She is also Chair of the Sole, Small Firm and General Practice Section of the Ontario Bar Association (OBA) and Past Chair of the Pro bono Sub Committee of the OBA. She is a member of the Technology and Innovation Working Group at the OBA. She sat on the French Language Services Advisory Committee for Legal Aid Ontario up until 2012. She was actively involved in working groups related to Alternative Business Structures with both the CCLA and the OBA. Kathleen has been a member of the Discipline Committee of the Professional Engineers of Ontario since 2013 and presides over professional conduct hearings as part of panel of adjudicators. She has taught courses at the college level to law clerks. She is active in her local community.

Kathleen’s practice includes Wills and Powers of Attorney; Estate Planning; Estates Administration; Corporate Law, and Real Estate

Satie Seeraj, Deputy Registrar and Coordinator for the Estates/Bankruptcy/Commercial and Assessment Offices.

I have been the Deputy Registrar for the Estates Office for the past approximately 21 years.
My role as the deputy registrar is to review applications for a certificate of appointment of estate trustee with and or without a will, sign orders as per an endorsement of a judge, calculate taxes paid on the value of the estate declared on the applications when filed, calculate additional taxes paid subsequent to the certificate being issued and process request for refunds.

There are seven types of applications all of which must be checked for compliance with the estates act, estates administration tax act, succession law reform act and the rules of civil procedure before issuing a certificate of appointment of estate trustee.

I am an active member on the CETT (central estates technical table) for the Ministry for the province of Ontario. At this table we discuss issues and unique situations that arise at various estate offices in an attempt to come up with a resolution and consistency.

I was also a representative for the Ministry of Attorney General at the project Advisory group with the Law Commission for Ontario working on a project that deals with simplified procedures for small estates.

I also attend the Bench and Bar meeting for estates in the Toronto region.

Debra Stephens, LLB – Goddard Gamage Stephens LLP

Debra Stephens was called to the Bar of Ontario in 1982. Her practice initially focused on family, estate, trust and guardianship issues. Since 1998 she has specialized in estate litigation, administration and planning.

Debra has worked in private legal practice for most of her career. In 2010 she joined Goddard Gamage Stephens LLP, a firm which specializes in estate and trust matters and guardianship and elder law. Before joining Goddard Gamage Stephens LLP, Debra was The Children's Lawyer for the Province of Ontario. The Office of the Children's Lawyer is responsible for providing legal services to children in various proceedings before Ontario courts and tribunals. Prior to her appointment as The Children's Lawyer, Deb was with Schnurr Kirsh Stephens, a firm which also specializes in trust, estate and mental incompetency issues.

Debra is a member of the Toronto Lawyers Association and the Canadian and Ontario Bar Associations, Family Law and Trusts and Estates Sections. She is currently on the Executive of the Ontario Bar Association Trusts and Estates Section. Debra has been an adjunct professor with the University of Toronto Law School teaching estates and trust law, has taught the Estate Law Clerk programme at Humber College, and has lectured on estates, trusts and guardianship issues at Osgoode Hall Law School and for the Osgoode Professional Development programme. Debra is a frequent lecturer and has chaired programmes for the Law Society of Upper Canada, the Ontario Bar Association, regional Estate Planning Councils, and other professional and community organizations. Debra has also authored numerous articles related to estates, trust, insurance, guardianships, and family law.

BLG
Borden Ladner Gervais

PAUL W. TAYLOR

Associate

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Family Wealth Counsel
Estates and Trusts
Private Company

EXECUTIVE SUMMARY

Paul Taylor is an associate in the Ottawa office of Borden Ladner Gervais LLP. Paul's practice focuses on issues relating to trust, estate, and incapacity planning and administration, as well as related tax issues. Paul has a wide range of experience in this area, including advising financial institutions, planning for individuals with cross-border, high value and complex assets, working with clients to provide for beneficiaries with disabilities, and preparing, amending, and interpreting trusts.

REPRESENTATIVE WORK

- Estate planning and drafting wills, powers of attorney and trusts, including for individuals with cross-border assets, complex assets, and beneficiaries living with disabilities.
- Completing a secondment with a financial institution to assist in the interpretation and administration of wills, powers of attorney and trusts.
- Drafting, amending, and interpreting trusts, including for financial institutions and aboriginal groups.
- Drafting account agreements, client intake forms, and other related documentation for financial institutions.
- Administering and advising on the administration of estates and trusts.

SELECTED PUBLICATIONS & PRESENTATIONS

- Speaker, “Common Complexities: There is no such thing as a simple estate”, STEP Ottawa, February 2017.
- Instructor, “Changes to Testamentary Trust Rules – A Comprehensive Case Study”, Canadian Tax Foundation National Conference, November, 2016.
- Speaker, “Taxation of Inter Vivos Trusts, GREs, and Testamentary Trusts – Where are we now?”, Canadian Tax Foundation Ontario Conference, October, 2016.
- Panelist, “Advising Families with Special Needs”, STEP National Conference, Toronto, June 2016.
- Instructor, “Trusts for Disabled and Dependent Children”, CBA WET Fundamentals for Estate Practitioners, October 2015 and October 2016.
- Speaker, “Dealing with Incapacity Issues and Preventing Financial Abuse”, STEP Ottawa, September 2015.

Education / Bar Admissions

LLB, University of Manitoba (Robson Hall), 2007 (prizes for legal writing, restitution, and community involvement)

Faculty of Arts, University of Manitoba (Dean's Honour List; prizes for astronomy, history, English, and community involvement)

Ontario, 2008

Professional Involvement

STEP Ottawa Executive Committee Member for Member Services

STEP Canada National Conference Planning Committee Member

Member, Law Society of Upper Canada, Canadian Bar Association and County of Carleton Law Association

Co-Chair, Organizing Committee, East Region Solicitors Conference

Member, Ottawa Estate Planning Council

Community Involvement

Board President, Ottawa Salus

Former board member, Bruce House, Ryan's Well Foundation, and Fund for a New Generation

Lawyers | Patent & Trademark Agents.

Mary-Alice Thompson, TEP, C.S.

Mary-Alice Thompson is a Partner with Cunningham Swan, Lawyers in Kingston. She is designated as a Certified Specialist (Estates & Trusts Law) by the Law Society of Upper Canada and she is a member of the Society of Trust and Estate Practitioners. Since being called to the Ontario bar in 1994, Mary-Alice has worked for a trust company, with a major Toronto law firm, and in her own practice, before joining Cunningham Swan in February 2010. She has taught at the University of Alberta, Queen's University Law School, and St. Lawrence College, and for the LSUC Bar Admission Course. She was the founding Chair of the Frontenac Law Association Estates & Trusts Group, and is former President of the Estate Planning Council of Eastern Ontario. Her book on will drafting, *Drafting Wills in Canada: A Lawyer's Practical Guide* (LexisNexis, 2016), with Brian Gillingham and Robyn Solnik, will be published fall of 2016. Mary-Alice has lectured and written on a number of topics in estates and trusts law for the Law Society of Upper Canada, the Ontario Bar Association, and the Frontenac Law Association, among others. She particularly enjoys the strange and wonderful quirks of estates law!

WAGNERSIDLOFSKY LLP

Charles B. Wagner

Direct: 416.636.5616

Email: cwagner@wagnersidlofsky.com

Charles B. Wagner is designated as a Certified Specialist in Estates and Trusts Law by the Law Society of Upper Canada and a partner at Wagner Sidlofsky LLP, which is a boutique law firm located in Toronto focusing on Commercial and Estate Litigation.

Called to the bar in 1985, Charles practice involves both estate and commercial litigation. Charles has overseen the development of this Litigation Boutique law firm in Toronto made up of ten lawyers and four law clerks. The Estate litigation practice involves Will Challenges, Elder Abuse, Power of Attorney Disputes, Estate and Trust administration, trust and fiduciary issues, and estate and mental capacity concerns.

As chair of the Estate and Trusts Group, Lawyers Division of B'nai Brith Charles has help create a series of continuing legal education programs for lawyers, accountants and financial planners dealing with issues of interest in estate and trust administration. He is a frequent blogger on estate issues, public speaker at CLE seminars and contributor to academic publications.

Publications

- Charles B. Wagner and Andrew D. Felker, "Power of Attorney Abuse – What Can and Should You Do?", York University Osgoode Hall Law School Professional Development, 2015 Guide to Advising the Elderly Client-Key Issues, Best Practices & Practical Approaches November 4-5, 2015;
- Charles Wagner and Adam Hummel, "Spence v. BMO Trust Co. — Should the decision be overturned at the Court of Appeal?", (2015), 9 E.T.R. (4th) 34;
- B. Donovan and C. Wagner, "Challenging the Wills of the Living" (November 2014), LSUC 17th Annual Estates and Trusts Summit November 3, 2014;
- C. Wagner and N. Herrmann, "Insane Delusions – Has The Test Been Expanded?" (Toronto: LSUC Estate Litigation Practice Essentials, 2012);
- C. Wagner and B. Porat, "End-of-life decision making: Rasouli appeal to be heard by Supreme Court of Canada" (2012), 78 E.T.R. (3d) 180;
- Wagner and Michael Gruda, "Forum Shopping and Formalities of Execution in Israel and Ontario" (June, 2010) 2(1) B'nai Brith Law Journal 8;
- Nathan Herrmann and Charles Wagner, "Insane Delusions and Parkinson's Disease" (March, 2009) 1(1) B'nai Brith Law Journal 36; and
- Charles Wagner, "Status of Religious Marriages in Ontario Law" (2009) 28 Estates, Trusts & Pensions Journal 129.

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Activities and Affiliations

- Law Society of Upper Canada;
- B'nai Brith Canada, Chair of the Estates & Trusts Group;
- Canadian Bar Association (CBA) and Ontario Bar Association (OBA);
- The Advocates' Society;
- ACE – Advocacy Centre for the Elderly;
- Ontario Network for the Prevention of Elder Abuse;
- STEP Canada - Society of Trust and Estate Practitioners; and
- Society of Trust and Estate Practitioners.

Kimberly A. Whaley, CS, TEP, LLM

Kimberly A. Whaley is the founder and principal of the Toronto Boutique Trusts and Estates Litigation Firm, WEL Partners. Kimberly is also a Solicitor of the Supreme Court of England and Wales. Her practice is restricted to the resolution, litigation and mediation of estate and related disputes throughout Ontario including:

> Will, Estate, Trust Disputes; Advising Fiduciaries; Dependant Support Claims; Passing of Estate, Trustee, Attorney, Guardian & Fiduciary Accounts; Capacity Proceedings; Guardianships; Power of Attorney Disputes; Consent and Capacity Board; End-of-Life and Treatment Decisions; Medical Assistance in Dying; Elder Law; Elder Financial Abuse; Solicitor's Negligence; Representation of Persons Under Disability; Probate Applications; Opinions; Agency Services; Approval Motions Under Rule 7

Kimberly's firm was ranked nationally by Canadian Lawyer in January 2014, as one of the Top 5 Trusts and Estates Boutique firms in Canada; and has been recognized since 2012 by Global Law Experts, receiving International awards in Trust and Estate Law in 2014. Kimberly was inducted as a Distinguished Fellow of the Canadian Centre for Elder Law (CCEL) in Vancouver, 2012. Kimberly was designated as a Certified Specialist in Estates and Trusts Law by the Law Society of Upper Canada in 2006. Kimberly has been peer selected annually since 2008 for inclusion in Best Lawyers in Canada in the practice area of Estates and Trusts. Kim was chosen by Lawday Leading Lawyers as one of the top 60 leading lawyers in Canada in Estates and Trusts. She was given the Martindale- Hubbell – BV Distinguished Rating in both Legal Ability and Ethical Standards. Kimberly is peer ranked in the Canadian Legal Lexpert Directory. She is currently a member of the CBA Elder Law Section and an Executive Member, OBA Awards Committee. She is on the Expert Advisory Focus Group for the Law Commission of Ontario (LCO) Law Reform Project as it relates to Ontario's Capacity and Guardianship Laws and to RDSPs. Kimberly is the Past Chair of The Society of Trust and Estate Practitioners (STEP) Toronto Branch. Kimberly is a member of the Estate Planning Council of Toronto. Kimberly has been on the Estate List Users Committee of the Ontario Superior Court of Justice at Toronto since its inception in 2003.

Kimberly's most rewarding achievement and passion is her daughter, Sammi, age 16. Kim has an affection for cooking, cycling and photography and is still experimenting with her Nikon D800 and new lenses. Kim also runs marathons in her spare time and is taking guitar lessons.

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