

Litigation and Administration of Foreign Trusts and Assets

Trusts and Estates Law

Date: Thursday, April 9, 2015 | 9:00 am to 12:00 pm

Location: Twenty Toronto Street Conferences and Events
20 Toronto Street, 2nd Floor, Toronto

Program Chairs: **Caroline Abela**, WeirFoulds LLP
Eric Hoffstein, Minden Gross LLP



In-Person



Webcast



This program contains 0.5 Professionalism Hours
This program is eligible for up to 2.5 Substantive Hours

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With increased globalization, more and more often trust and estates lawyers are representing clients with matters that cross provincial and international borders. As you find yourself more frequently advising trustees and beneficiaries on trusts and trust property located in foreign jurisdictions, ensure that you are up-to-date on the best practices for handling the foreign elements in administration and litigation. Hear from our expert faculty on the issues arising with cross-border trusts and estates and develop the expertise to advise your clients with confidence.

8:30 am Registration and Coffee

9:00 am Welcome and Opening Remarks

9:05 am **How to Overcome Common Challenges in Dealing with Foreign Trusts**

Clare Burns, WeirFoulds LLP

Frank Walwyn, WeirFoulds LLP

- Practical strategies for obtaining information on offshore trusts
- Using and resisting flight clauses: How to activate a flight clause when a trust is under threat, and how to protect against it
- Exploring the import of foreign trust principals into Canada
- What are your reporting obligations?
- Determining residence of a trust and clarifying the implications

9:40 am **Mastering Foreign Assets and Beneficiaries in Estate Litigation**

Ian Hull, Hull & Hull LLP

Angela Casey, de VRIES LITIGATION

- Essential considerations when you have foreign assets or beneficiaries
- Tackling the complexities and implications of domicile: from limitation periods to asset values to dealing with foreign counsel
- What you need to know about "first past the post"

10:15 am Networking Break

10:30 am **Handling Ontario Assets When Probate is Granted in a Foreign Jurisdiction**

Mary-Alice Thompson, Cunningham, Swan, Carty, Little & Bonham LLP

- Best practices for obtaining an ancillary grant
- When is re-sealing of a grant of probate required?

10:45 am **Critical Guidance for the Planning and Administration of Foreign Assets**

Margaret O'Sullivan, O'Sullivan Estate Lawyers

Elena Hoffstein, Fasken Martineau DuMoulin LLP

- Advising executors and trustees on administering foreign assets
- Unraveling conflicts of law in administration, including recent EU changes
- Helpful techniques for dealing with foreign assets
- Pros and cons of appointing a foreign trustee or executor
- Making sense of forced heirship rules
- Expert insights on international estate planning
- How to handle a US resident or citizen who is a beneficiary or executor

11:50 am Questions and Concluding Remarks

12:00 pm Program Concludes

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Questions? pd@oba.org