

When Worlds Collide: The Interdisciplinary World of Estates Practice

Date: Thursday, February 6, 2014 | 1:30 pm to 4:50 pm

Location: Westin Harbour Castle Conference Centre, 2 Harbour Square



3.25 Substantive Hours
0 Professionalism Hour

Program Chairs: **Jane Martin**, Dickson, MacGregor Appell LLP
John O'Sullivan, John O'Sullivan Law

The interdisciplinary nature of wills and estates is an appealing aspect of the practice. To draft a will you have to understand the law to administer an estate you must know the fundamentals of creditor rights. To navigate estate litigation, familiarity with real estate, limitations, intellectual property, civil procedure and bankruptcy is a must. Extend your knowledge of the essentials in those legal disciplines orbiting around the periphery of the estates world. Gain practical strategies for managing the intersection between your wills and estates practice and the areas of real estate, bankruptcy and insolvency, intellectual property and civil litigation. This program is a great compliment to the popular "Kissing Cousins" program run jointly with the Family Section (March 26, 2014) and the annual tax update (March 25, 2014).

1:30 pm **WELCOME AND OPENING REMARKS**

1:35 pm **REAL ESTATES AND TRUSTS: MANAGING REAL ESTATE ASSETS IN YOUR TRUSTS AND ESTATES PRACTICE**

- Need-to-know real estate issues in administering, settling and litigating estate claims
- Sample language to include in Orders and Minutes of Settlement to ensure conveyancing of real property occurs as agreed and planned
- What are the tax implications of real estate dispositions?
- Issues arising in estate conveyancing (planning and post-mortem)

Vincent De Angelis, De Angelis Law Professional Corporation

Lori Duffy, WeirFoulds LLP

Jane Martin, Dickson MacGregor Appell LLP (moderator)

2:05 pm **NAVIGATING BANKRUPTCY AND INSOLVENT ESTATES**

- Dealing with creditor rights
- Practical strategies for complying with estate trustee obligations and mitigating the risks
- How to effectively settle CRA debts

Robert Klotz, Klotz Associates

Margaret Rintoul, Blaney McMurtry LLP

2:35 pm **LIMITATION PERIODS, DEADLINES AND PRESERVATIONS OF RIGHTS**

- When to use Notices of Claims, and how to enforce or resist them
- Options and strategies for ensuring the preservation of property pending relief
- What are the Courts saying about the *Real Property Limitations Act*? A review of the recent case law.
- Clarifying Trust claims – what are the limits in light of *McConnell v. Huxtable*?

Bryan Smith, Lerner LLP

Paul Trudelle, Hull & Hull LLP

Edwin Upenieks, Lawrence, Lawrence, Stevenson LLP

3:10 pm **NETWORKING BREAK**

Questions? Toll Free: 1-800-668-8900 | Tel: 416-869-1047 | pd@oba.org



3:30 pm **INTELLECTUAL PROPERTY AND ELECTRONIC DATA: PLANNING AND ADMINISTRATION OF INTANGIBLE ASSETS**

- How to address and value electronic assets
- What happens to electronic assets and intellectual property upon death?
- Guidelines for drafting wills and administering estates to comprehensively deal with intangible assets

Darren Lund, Borden Ladner Gervais LLP

David Debenham, McMillan LLP (Ottawa)

4:05 pm **JUDGE'S CORNER: GUIDANCE FROM THE BENCH ON ORDERS FOR ASSISTANCE AND EX PARTE RELIEF**

- Current best practices for getting the most out of Orders for Assistance
- Availability of ex parte orders: where and how to obtain this relief

John O'Sullivan, John O'Sullivan Law (moderator)

The Honourable Geoffrey Morawetz, Superior Court of Justice

Melanie Yach, Aird & Berlis LLP

4:30 pm **QUESTIONS AND CONCLUDING REMARKS**

4:50 pm **PROGRAM CONCLUDES**

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