ONTARIO BAR ASSOCIATION
A Branch of the Canadian Bar Association

OBA | Professional Development

Your First Estate Administration

Trusts and Estates Law / Young Lawyers Division

In-Person Webcast

Date: Wednesday, April 10, 2019 | 9:00 am to 1:00 pm

Location: OBA Conference Centre
20 Toronto Street, 2nd Floor, Toronto

Program Chairs: **Emily Hubling**, Fasken Martineau DuMoulin LLP
Aly Virani, Blaney McMurtry LLP

Professionalism Hours: This program contains **0h 45m**
Substantive Hours: This program is eligible for up to **3h 15m**

The OBA has been approved as an Accredited Provider of Professionalism Content by The Law Society of Ontario

The administration of an estate requires proper knowledge of various areas of law. View this program to obtain the key information and understanding you need from areas such as family law, real estate, and components of tax law, such as Estate Administration Tax and Income Tax. Learn the practical tools to take you successfully through an estate administration, on topics such as: information gathering, applications for a Certificate of Appointment of Estate Trustee, family law issues relating to an estate administration, estate assets, debts, and administering and closing an estate. Whether you are a solicitor who will be assisting clients with applications for a Certificate of Appointment of Estate Trustee or the administration of estates, or an experienced practitioner wishing to brush up on these matters, this program is essential!

8:30 am Registration and Coffee

9:00 am Welcome and Opening Remarks

9:10 am **Before the Initial Client Meeting**
Emily Hubling, Fasken Martineau DuMoulin LLP

- Preparing for the meeting
- Using checklists and other materials
- What questions can you expect the client to ask

9:35 am **During the Client Meeting**
Danna Fichtenbaum, Minden Gross LLP

- Who is the client?
- Dealing with multiple Estate Trustees
- Confirming the scope of the retainer
- Questions/Information to gather

10:05 am **Is Probate Required?**
Daniel J. Stober, Torkin Manes LLP

- When is a Certificate of Appointment of Estate Trustee required?
- Who is able to apply in an intestacy?
- Who is to be given Notice in an Application for a Certificate?
- What is the procedure for obtaining a Certificate?
- What assets fall outside of the Estate?
- Dealing with estates with multiple wills
- Preparing the Estate Information Return

10:35 am Networking Break

10:55 am **Family Law Issues**
Lisa Laredo, Laredo Law

- Equalization of Net Family Property on the death of a spouse
- Rights to the matrimonial home
- Spousal/Child support obligations?
- Blended families
- Support for dependants

11:25 am **Estate Assets**
Heather Mountford, TD Wealth

- What is the correct procedure for dealing with real property?
- Dealing with bank accounts
- Dealing with shares and investments
- Loans owing by deceased i.e. insured?
- Income Tax elections i.e. RRSP's/RRIF's

12:00 pm **Debts and Expenses of the Estate**
Jessica Feldman and **Alexander Turner**, Bales Beall LLP

- Secured and unsecured debts
- Funeral expenses
- Advertising for creditors
- Estate Trustee Compensation
- Insufficient funds to pay all debts?

12:30 pm **Closing the Administration of the Estate**
Sarah Shipley, Jenkins, Newman & Shipley Law

- When is an interim distribution appropriate?
- Legacies/Cash bequests
- Testamentary Trusts?
- Who needs to approve Estate accounting?
- Format of informal/formal accounting
- Releases from beneficiaries
- Terminal tax Return and Clearance Certificate

12:55 pm Q&A and Concluding Remarks

1:00 pm Program Concludes

PROGRAM REGISTRATION IS ONLINE www.oba.org/pd

Questions? pd@oba.org