

## **Wills & Estates Law Section Report 2015-2016**

November 13 and 14, 2015 John Delaney, Chair of the Wills and Estates Section, (Tradition Law LLP) attended the CBA National Wills, Estates and Trusts meeting in Ottawa on behalf of Manitoba's Section. The most salient parts of the agenda included: Nature and status of further submissions by the National Section to the federal government for consideration in the 2016 budget on the changes to graduated rate estate taxation, including ongoing lobbying of the federal government to reverse its intention to tax gains on capital assets of a life estate trust deemed to arise from the death of the life estate beneficiary on the beneficiary's estate tax return rather than the trust tax return; consideration of formal submissions from the National Section to the federal government on pending legislation on medical assistance in dying; consideration of ongoing status of a project between representatives of the National Section and representatives of the Canadian Bankers Association intended to inform and educate both the banking industry and the legal profession of their respective concerns and issues in dealing with the elderly population, powers of attorney and joint accounts and the impact each profession's actions, advice and dealings has on the other; the development of a Children's Law Committee to deal with estate issues for children; status of the 2016 National Section in-person Estate Planning Course scheduled for Toronto in fall/winter of 2016; proposals for future webinar programs; ongoing updating of the National Concordance Tables.

July 23, 2015 Section meeting of the Executive, John Delaney, Chair, Caroline Kiva, Vice-Chair, (previously Pitblado LLP now Miller Thomson LLP), Adeline Degner (Tacium Vincent Orlikow), William Gould (Taylor McCaffrey LLP), Viviane Lentz (Tradition Law LLP), Chantal Lovatt (Fillmore Riley LLP), Dana Nelko (Fillmore Riley LLP), Ingrid Nickel (Restall & Restall LLP) and Daniel Watts (Aikens, MacAulay & Thorvaldson LLP).

September 30, 2015 lunch hour presentation at Law Society classroom by Anita Southall (Fillmore Riley LLP), on Infant Estates, 49 registrants.

November 27, 2015 lunch hour presentation at Law Society classroom by Johanna Caithness (Fillmore Riley LLP), on New Tax Rules for Testamentary Trusts, 49 registrants.

January 21, 2016 Mid-Winter presentation by John Poyser (Tradition Law LLP) and Ken Mandzuik (Tradition Law LLP), moderated by Chantal Lovatt, on Structuring and Attacking Life/Joint Tenancies, 116 registrants.

January 22, 2016 Mid-Winter presentation jointly sponsored by the Wills and Estates Section and the Young Lawyer's Section, by John Fergusson (The Public Guardian and Trustee), Daniel Watts, Heather Dixon (Pullan Kammerloch Frohlinger), moderated by Aaron Ingram (Pullan Kammerloch Frohlinger), on Navigating Your Way Through Wills & Estate Administration, 58 registrants.

January 22, 2016 Mid-Winter presentation by Caroline Kiva, Daniel Watts, Christine Van Cauwenberghe (Investors Group Financial Services Inc.) and John Delaney on Protecting Clients Making Major Gifts, 98 registrants.

January 22, 2016, The Will & Estates Law Section was selected as the recipient of the 2015 MBA Section Activity Award in recognition of the Section's work. The award was presented at the MBA Mid-Winter Awards Luncheon on January 22, 2016.

March 23, 2016 lunch hour presentation at Law Society classroom by Sharon Tod (St. Mary's Law Group) and Jana Taylor (The Public Guardian and Trustee), on Committeeships, 58 registrants.

May 4, 2016 lunch hour presentation at Law Society classroom by The Honourable Mr. Justice H. H. Rempel, (Court of Queen's Bench – General Division), Jackie Lonc and Wanda Allen, (Court of Queen's Bench Probate Division), on Probate and Administration Issues from the Perspective of the Court, 101 registrants.

May 11, 2016 Section meeting of the executive, appointing Viviane Lentz of Tradition Law LLP as Chair for the ensuing year, and an executive of Adeline Degner, William Gould, Chantal Lovatt, Dana Nelko, Ingrid Nickel and Daniel Watts.

Submitted by,  
John Delaney, Chair MBA Wills & Estates Law Section