

# STEP 2020 Speakers' Series

**FALL 2020**  
DELIVERED ONLINE



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Society of Trust and Estate Practitioners (Canada)

# STEP 2020 Speakers' Series

**FALL 2020**  
DELIVERED ONLINE



Release date: October 7/20

## Broadcast Schedule / Horaire de diffusion

**All sessions will broadcast at 12 noon ET on the scheduled dates.**

Speakers will be available in session chat room for questions and comments from delegates during the original broadcasts. Archived recordings of the broadcasts, along with transcript from chat room will be available in Speakers' Series app following the broadcasts.

Registered delegates will access the broadcast links through the Speakers' Series App.

**Toutes les séances seront diffusées à midi (HE) aux dates prévues.**

Pendant la première diffusion, les présentateurs pourront répondre à vos questions et recueillir vos commentaires dans le salon de clavardage accessoire à la séance. L'enregistrement archivé de l'émission ... ainsi que la transcription de ce qui sera dit dans le salon de clavardage seront disponibles dans l'application Speakers' Series après la première diffusion.

Les délégués inscrits recevront des renseignements exclusifs sur l'accès à la webdiffusion avant chaque diffusion.

Date	Session			Session Title	Minutes
	Full Series	French Series	Round Table		
Tuesday, September 15			1	<b>The Future of Trusts Worldwide, and How That Affects Your Practice</b>	30
			2	<b>Practitioners' Update: US Tax Law</b>	30
Thursday, September 17			3	<b>Practitioners' Update: Canadian Tax Law</b>	30
			4	<b>Practitioners' Update: Trust and Estate Law</b>	45
Tuesday, September 22			5	<b>Estate Planning and Family Law Considerations for the Traditionalists, the Boomers, the Xs, Ys &amp; Zs</b>	75
Thursday, September 24			6*	<b>Planning Ahead for Assisted Dying</b>	75
Tuesday, September 29			7	<b>A New Age of Transparency: Will Anything Be Private?</b>	75
Thursday, October 1			8	<b>Family Offices</b>	75
Tuesday, October 13			9	<b>Trust Me for Now But Not Forever: Trust Variation, Amendment, and Potential Tax Consequences</b>	75
Thursday, October 15			10	<b>Pipelines and Loss Carrybacks</b>	75
Tuesday, October 20			11	<b>Le changement climatique : fait-il fondre le gel successoral?</b>	90
Thursday, October 22			12	<b>Mise à jour sur la planification fiscale transfrontalière</b>	90
Tuesday, October 27			13	<b>Incapacity at Home and Abroad: Jurisdictional Challenges</b>	75
Thursday, October 29			14	<b>Incapacité au pays et à l'étranger : défis liés aux compétence juridictionnelle</b>	75
Tuesday, November 3			15	<b>From STAR Trusts to UK Domestic Trusts: Is Foreign Personal Planning Still an Option for Canadians?</b>	90

Thursday, November 5			16	<b>Is Climate Change Thawing the Estate Freeze?</b>	<b>90</b>
Tuesday, November 10			17	<b>Demystifying the Investing Process for Trusts and Estates</b>	<b>90</b>
Thursday, November 12			18	<b>Estate Mediation and Settlements: Tax Issues</b>	<b>90</b>
Tuesday, November 17			19	<b>Life Insurance Transitions: How to Deal with Corporate, Charitable or Multi Life Transitions</b>	<b>90</b>
Thursday, November 19			20	<b>Update on Cross-Border Tax Planning</b>	<b>90</b>
Tuesday, November 24			21	<b>The New ABCs of Philanthropy: Alternative Charitable Gifts, B-Corps, and Charities' Investment Policies</b>	<b>75</b>
Thursday, November 26			22	<b>STEP Canada-Canada Revenue Agency Round Table</b>	<b>105</b>

\*Professionalism Accreditation in Application Where Applicable

## Speakers' Series Session Details

<p>Tuesday, September 15</p> <p>Session 1</p> <p>30 minutes</p>	<p><b>The Future of Trusts Worldwide, and How That Affects Your Practice</b></p> <p>Moderator: <b>Pamela Cross</b>, LLB, TEP, Ottawa: Borden Ladner Gervais LLP; Chair, STEP Canada</p> <p>The speaker reviews international developments in trusts and trust administration, examining what they may mean for Canadian practitioners in the future. Topics include</p> <ul style="list-style-type: none"> <li>the implications of modern reporting and beneficiary disclosure rules,</li> <li>the rule in Hastings-Bass,</li> <li>trustee exemption and indemnity clauses,</li> <li>Cooper orders, and</li> <li>dispute resolution and the use of arbitration provisions.</li> </ul> <p><b>M. Elena Hoffstein, JD, FEA, TEP</b>, Toronto: Miller Thomson LLP</p>
<p>Session 2</p> <p>30 minutes</p>	<p><b>Practitioners' Update: US Tax Law</b></p> <p>Moderator: <b>Pamela Cross</b>, LLB, TEP, Ottawa: Borden Ladner Gervais LLP; Chair, STEP Canada</p> <p>Since the implementation of the US Tax Cuts and Jobs Act in 2017, Treasury has provided guidance in an attempt to clarify the legislation. The speaker considers what we have learned from this guidance, reviewing the new passive foreign investment company status tests and calculations of global intangible low-taxed income for holdings through domestic partnerships. In addition, the speaker explains how the new rules require a re-examination of many cross-border planning situations for US persons with interests in Canada and Canadian persons with interests in the United States.</p> <p><b>Leigh-Alexandra Basha, JD, LLM, TEP</b>, Washington DC: McDermott Will &amp; Emery</p>
<p>Thursday, September 17</p> <p>Session 3</p> <p>30 minutes</p>	<p><b>Practitioners' Update: Canadian Tax Law</b></p> <p>Moderator: <b>Chris Ireland</b>, CPA, CA, TEP, Vancouver: PPI Advisory; Deputy Chair, STEP Canada</p> <p>The speaker reviews recent legislative changes, case law, Canada Revenue Agency (CRA) interpretations, and other recent developments that are relevant for estate and trust practitioners. The session includes a discussion of the 2020 federal budget announcements.</p> <p><b>R. Daren Baxter, QC, TEP</b>, Halifax: McInnes Cooper</p>
<p>Session 4</p> <p>45 minutes</p>	<p><b>Practitioners' Update: Trust and Estate Law</b></p> <p>Moderator: <b>Chris Ireland</b>, CPA, CA, TEP, Vancouver: PPI Advisory; Deputy Chair, STEP Canada</p> <p>Annual review of the jurisprudence in Estates and Trusts. The speakers will discuss noteworthy common and civil law decisions from across the country, including: Yared, the recent Supreme Court decision from Quebec having an impact on trust, estate and family law; Gefen, the recent Ontario Supreme Court decision on mutual will agreements, secret trusts and likely the first finding of unconscionable procurement in over 50 years; and LT v DT from British Columbia on the removal and use of sperm after death.</p> <p><b>William Dion-Bernard</b>, LLB, DDN, TEP, Montreal: Robinson Sheppard Shapiro, S.E.N.C.R.L.</p> <p><b>Nancy Golding, QC, TEP</b>, Calgary: Borden Ladner Gervais LLP</p>

<p>Session 5 Tuesday, September 22</p> <p>75 minutes</p> <p>Professionalism Accreditation in Application Where Applicable</p>	<p><b>Estate Planning and Family Law Considerations for the Traditionalists, the Boomers, the Xs, Ys &amp; Zs</b></p> <p>Moderator: <b>Rhonda Johnson</b>, LLB, TEP, Edmonton: Dentons Canada LLP</p> <p>Divorce among people aged 50 and over is rising dramatically. In fact, the 50-plus demographic is the only one that is currently experiencing such an increase. Marriages of many decades are imploding, exploding, or simply fizzling out. The panel considers the tax and planning implications of dividing wealth when clients have already done significant planning. Topics include assets in joint partner trusts, joint last-to-die life insurance policies, estate freezes undertaken many years ago, joint trusteeship over trusts for children, and real estate whose value has risen astronomically. Panelists also address post-separation planning (whether a couple should get divorced or agree to live separately for tax purposes), capacity, and protection from predatory marriages and the undue influence of third parties.</p> <p><b>Silvia Jacinto</b>, MTax, Toronto: Crowe Soberman LLP</p> <p><b>Daniel Melamed</b>, LLB, Toronto: Torkin Manes LLP</p> <p><b>Linda Schachter</b>, LLB, BCL, Montreal: Devine Schachter Polak</p>
<p>Session 6 Thursday, September 24</p> <p>75 minutes</p> <p>Professionalism Accreditation in Application Where Applicable</p>	<p><b>Planning Ahead for Assisted Dying</b></p> <p>Moderator: <b>Jamie Golombek</b>, CPA, CA, CFP, CLU, TEP, Toronto: CIBC Financial Planning</p> <p>Federal legislation was enacted in 2016 to permit medical assistance in dying. Canada is currently reviewing this legislation in response to the Superior Court of Quebec's September 2019 ruling that called into question the constitutionality of the "reasonably foreseeable death" criterion. Panelists review Canadians' legal end-of-life options, including how to navigate a request for assisted dying. Panel members also discuss advance directives, key issues in elder management, and the experiences and needs of families in which someone is considering an assisted death.</p> <p><b>Kelsey Goforth</b>, BA (HONs), Toronto: Dying With Dignity Canada, Support Program Manager</p> <p><b>Susan Hyatt</b>, BSc (PT), MBA, Oakville: CEO and Co-Founder, Silver Sherpa Inc.</p> <p><b>Dr. Chantal Perrot</b>, AB, MD, CCFP, FCFP, MDPAC(C), Toronto: Family Physician, MAiD Provider, Member DWDC Clinicians Advisory Council</p>
<p>Session 7 Tuesday, September 29</p> <p>75 minutes</p>	<p><b>A New Age of Transparency: Will Anything Be Private?</b></p> <p>Moderator: <b>Eric Hoffstein</b>, LLB, TEP, Toronto: Fogler Rubinoff LLP</p> <p>The Paradise Papers and the Panama Papers have increased public scrutiny of the wealthy and the vehicles (trusts and corporations) that are used to hold and transfer wealth. Scrutiny has come from the media, members of the public, and taxing jurisdictions around the world. Panelists summarize the current state of the law, which provides for an increase in the transparency of trusts, considering both common law and legislative amendments. The panel discusses the following obligations of executors, trustees, and directors:</p> <ul style="list-style-type: none"> <li>• informing beneficiaries of the existence of a trust,</li> <li>• providing information regarding estate or trust assets and finances to beneficiaries,</li> <li>• protecting privilege and confidentiality of trust documents and holdings,</li> <li>• filing detailed tax returns for trusts in the 2021 tax year and beyond,</li> <li>• publicly reporting beneficiaries of trusts that hold real estate,</li> <li>• understanding the implications of the common reporting standard,</li> <li>• maintaining a register of persons with substantial interests in corporations, and</li> <li>• protecting clients' privacy before and during CRA audits.</li> </ul> <p><b>Mark Brender</b>, LLB, BCL, TEP, Montreal: Osler Hoskin &amp; Harcourt LLP</p> <p><b>Alison Oxtoby</b>, LLB, TEP, Kelowna: Balmains Law Corporation</p> <p><b>Barbara Novek</b>, LLL, TEP, Montreal: Sweibel Novek LLP</p>
<p>Session 8 Thursday, October 1</p> <p>75 minutes</p>	<p><b>Family Offices</b></p> <p>Moderator: <b>Corina Weigl</b>, LLB, TEP, Toronto: Fasken LLP</p> <p>Although the concept of the family office is not new, the prevalence of family offices in Canada is still relatively novel. Today, however, more and more wealthy individuals in Canada are asking, "What exactly is a family office? How does it operate? How can it be set one up? And what could it do for our family?" Panel members address these matters, discussing their personal experiences with family offices and providing practitioners with the information they need to decide whether a family office is right for them and their clients.</p> <p><b>Elizabeth Cloutier</b>, CPA, CA, Toronto: Canada Overseas Investments Ltd</p> <p><b>Tom McCullough</b>, MBA, CIM, CIWM, Toronto: Northwood Family Office</p> <p><b>Cindy Radu</b>, FCPA, FCA, LLM, ICD.D, TEP, Calgary: Cindy Radu Advisory Ltd.; Director at Large, STEP Canada</p>

<p>Session 9</p> <p>Tuesday, October 13</p> <p>75 minutes</p>	<p><b>Trust Me for Now But Not Forever: Trust Variation, Amendment, and Potential Tax Consequences</b></p> <p>Moderator: <b>Paul Taylor</b>, LLB, TEP, Ottawa: Borden Ladner Gervais LLP; Chair, STEP Ottawa</p> <p>Although trust variations and amendments are becoming more common, their pitfalls and potential tax consequences have yet to be fully explored. Panelists review trust variation and amendment legislation throughout the country, including the laws of Quebec and British Columbia's wills variation legislation. They also discuss the potential income tax impact of trust variations and amendments, and review the current policies of the CRA and Revenu Québec.</p> <p><b>Clare Burns</b>, LLB, LLM, TEP, Toronto: WeirFoulds LLP</p> <p><b>Deidre Herbert</b>, LLB, Vancouver: McLellan Herbert</p> <p><b>Troy McEachren</b>, BCL, LLB, TEP, Montreal: Miller Thomson LLP</p>
<p>Session 10</p> <p>Thursday, October 15</p> <p>75 minutes</p>	<p><b>Pipelines and Loss Carrybacks</b></p> <p>Moderator: <b>Rhonda Rudick</b>, BCL, LLB, TEP, Montreal: Davies Ward Phillips &amp; Vineberg LLP</p> <p>When a holding company is involved, taxation on death is replete with traps that can lead to double or even triple taxation in the absence of competent planning. Panelists provide a comprehensive review of post mortem estate planning using pipeline and loss carryback techniques. They discuss when to use each method, either alone or in combination with other planning, and consider recent CRA pronouncements and legislative developments.</p> <p><b>Eddy Burello</b>, FCPA, FCA, Toronto: MNP LLP</p> <p><b>Joan Jung</b>, LLB, TEP, Toronto: Minden Gross LLP</p> <p><b>Ruth March</b>, CPA, CA, TEP, Halifax: KPMG LLP; Past-Chair, STEP Canada</p>
<p>Session 11</p> <p>Tuesday, October 20</p> <p>90 minutes</p>	<p><b>Le changement climatique : fait-il fondre le gel successoral?</b></p> <p>Modérateur/Conférencier : <b>Hugo Patenaude</b>, M.Fisc, Notaire, TEP, Montréal : Patenaude Fiscalité + Fiducie</p> <p>Le changement climatique, qui fait référence à l'évolution constante des règles fiscales et de la manière dont une société perçoit la richesse, affecte la manière, le moment ainsi que la raison pour laquelle les gels successoraux sont mise en œuvre. Les panélistes procéderont à une analyse détaillée des gels successoraux, tant au niveau juridique qu'au niveau fiscal, y compris des commentaires sur les modifications législatives, les points de vue et positions de l'ARC ainsi que l'impact que ces propos pourrait avoir sur les vérifications de l'ARC. Les sujets qui seront abordés dont les suivants :</p> <ul style="list-style-type: none"> <li>• Les mécanismes du gel successoral et les différentes approches pour sa mise en oeuvre (y compris un aperçu complet de l'article 85, l'article 86 et les dividendes en actions).</li> <li>• Les questions relatives aux fiducies que l'on retrouve souvent dans les gels successoraux (qui devrait être le constituant, qui devraient être les fiduciaires, quels sont les pouvoirs de l'auteur du gel successoral pour contrôler les biens de la fiducie) et l'impact potentiel sur les objectifs fiscaux du gel successoral.</li> <li>• L'évaluation des actions de sociétés gelées (y compris l'examen des prononcés de l'ARC et ses vérifications fiscales).</li> <li>• Les difficultés auxquelles font face les conseillers dans la planification d'un gel successoral (y compris la manière de gérer les auteurs du gel qui ne veulent courir aucun risque de litige).</li> </ul> <p><b>Helena Gagne</b>, LLB, LLM, MFisc, TEP, Montréal : KPMG LLP</p> <p><b>Marc Marion</b>, LLB, Winnipeg : Taylor McCaffrey LLP</p> <p><b>Jean-François Thuot</b>, CPA, CGA, MFisc, TEP, Montréal : PwC LLP</p>
<p>Session 12</p> <p>Thursday, October 22</p> <p>90 minutes</p>	<p><b>Mise à jour sur la planification fiscale transfrontalière</b></p> <p>Modératrice : <b>Paule Gauthier</b>, CPA, CA, LLM, TEP, Montréal: Services de gestion de patrimoine RBC</p> <p>Les participants abordent certaines questions fiscales canadiennes et américaines qui se posent dans le contexte de la planification fiscale transfrontalière. Des situations transfrontalières courantes sont analysées en vue de trouver la solution la plus avantageuse dans le cadre des règles fiscales canadiennes et américaines. Le groupe de discussion traitera de la planification successorale impliquant des bénéficiaires non résidents, y compris de la planification en vertu de la Règle de disposition réputée au bout de 21 ans et de l'incidence du nouveau paragraphe 212.1(6) sur la planification du pipeline.</p> <p><b>Sebastien Desmarais</b>, LLB, LLL, JD, TEP, Ottawa : TD Wealth</p> <p><b>Michel Durand</b>, LLB, D.Fisc, TEP, Montréal : Michel Durand, Avocat, D. Fisc., TEP</p> <p><b>Martin Lord</b>, JD, M.Fisc, TEP, Montréal : Robinson Sheppard Shapero S.E.N.C.R.L.</p>



<p>Session 13</p> <p>Tuesday, October 27</p> <p>75 minutes</p>	<p><b>Incapacity at Home and Abroad: Jurisdictional Challenges</b></p> <p>Moderator: <b>Litza Anderson</b>, LLB, TEP, Vancouver: Scotiitrust; Director at Large, STEP Canada</p> <p>An increasing number of clients are on the move, transnationally and internationally, for brief or extended periods; additionally, these clients often own assets in foreign jurisdictions. As a result, many legal issues can arise, involving the recognition and enforceability of powers of attorney for property and personal care; protection mandates; and statutory protection regimes, such as guardianship and tutorship. The panel explores the challenges that can arise from the perspective of both civil-law jurisdictions, such as France, Portugal, and Mexico, and common-law jurisdictions, such as Florida, California, and Arizona, with particular focus on the following issues:</p> <ul style="list-style-type: none"> <li>• Do clients with foreign connections have the protective instruments that they need?</li> <li>• Do statutory conflict-of-laws provisions exist in the relevant jurisdictions, and how do they work?</li> <li>• What special considerations exist when using multiple or situs powers of attorney or similar instruments?</li> <li>• What are the advantages and disadvantages of parallel planning options for clients with complex assets?</li> </ul> <p><b>Margaret O'Sullivan</b>, LLB, TEP, Toronto: O'Sullivan Estate Lawyers LLP</p> <p><b>Marilyn Piccini Roy</b>, Ad.E., PhD, LLB, BCL, TEP, Montreal: Robinson Sheppard Shapiro SENCRL/LLP</p> <p><b>Farha Salim</b>, LLB, BCL, TEP, Calgary: Field LLP</p>
<p>Session 14</p> <p>Thursday, October 29</p> <p>75 minutes</p>	<p><b>Incapacité au pays et à l'étranger : défis liés aux compétence juridictionnelle</b></p> <p>Modérateur : <b>Troy McEachren</b>, BCL, LLB, TEP, Montréal : Miller Thomson S.E.N.C.R.L., s.r.l.</p> <p>Un nombre croissant de clients sont en déplacement, au pays comme à l'étranger, pour des périodes brèves ou prolongées; de plus, ces clients possèdent souvent des actifs dans des territoires de compétence étrangers. Par conséquent, de nombreuses questions d'ordre juridique peuvent être soulevées concernant la reconnaissance et la force exécutoire des procurations relatives aux biens et aux soins de la personne, les mandats de protection et les régimes de protection statutaire, tels que la tutelle et la curatelle. Le groupe de discussion explore les défis qui peuvent survenir du point de vue des territoires de droit civil, comme la France, le Portugal et le Mexique, et de common law, comme la Floride, la Californie et l'Arizona, en s'attardant sur les questions suivantes :</p> <ul style="list-style-type: none"> <li>• Les clients ayant des liens à l'étranger disposent-ils des instruments de protection dont ils ont besoin?</li> <li>• Des dispositions légales en matière de conflit de lois existent-elles dans les territoires de compétence concernés? Comment fonctionnent-elles?</li> <li>• Quelles sont les considérations particulières à prendre en compte lors du recours à de multiples procurations, de procurations du situs juridique ou des instruments similaires?</li> <li>• Quels sont les avantages et les inconvénients des options de planification parallèle pour les clients disposant d'actifs complexes?</li> </ul> <p><b>Michel Beauchamp</b>, Notaire, TEP, Montréal : Beauchamp et Gilbert, notaires inc.</p> <p><b>William Dion-Bernard</b>, LLB, DDN, TEP, Montréal : Robinson Sheppard Shapiro, S.E.N.C.R.L.</p> <p><b>Andrée Godbout</b>, LLM, CFP, TEP, Halifax : BMO Private Wealth</p>
<p>Session 15</p> <p>Tuesday, November 3</p> <p>90 minutes</p>	<p><b>From STAR Trusts to UK Domestic Trusts: Is Foreign Personal Planning Still an Option for Canadians?</b></p> <p>Moderator: <b>Brian Cohen</b>, LLB, TEP, Toronto: Gowling WLG (Canada) LLP; Treasurer, STEP Canada</p> <p>Following amendments to the non-resident trust rules and the elimination of the 5-year immigration trusts, many planners concluded that foreign personal planning is no longer feasible. This panel will examine both potential foreign personal planning advantageous plans as well as pitfalls that may exist in the UK, Cayman and Canada for taxpayers – especially where international connections are becoming more and more prevalent in our work. In particular, this seminar will look at:</p> <ul style="list-style-type: none"> <li>• STAR Trusts and Cayman Foundation Companies</li> <li>• Non-CCPC planning;</li> <li>• On-going trust administration issues;</li> <li>• Granny Trust planning; and</li> <li>• UK beneficiaries and foreign personal planning.</li> </ul> <p><b>Nick Holland</b>, LLB, TEP, London, UK: McDermott Will &amp; Emery</p> <p><b>Anthony Partridge</b>, LLB, TEP, Cayman Islands: Ogier</p> <p><b>Ian Worland</b>, LLB, TEP, Vancouver: Legacy Tax + Trust Lawyers</p>

<p>Session 16</p> <p>Thursday, November 5</p> <p>90 minutes</p>	<p><b>Is Climate Change Thawing the Estate Freeze?</b></p> <p>Moderator: <b>Angela Ross</b>, LLB, TEP, Toronto: PwC LLP</p> <p>Climate change, referring to continuous changes in tax rules and society's perception of wealth, is affecting how, when, and why estate freezes are implemented. Panelists provide an in-depth review of estate freezes from a legal and tax perspective, including commentary about changing legislation, CRA views and positions, and CRA audit activity. The following topics are featured:</p> <ul style="list-style-type: none"> <li>• estate freeze mechanics and options for implementing an estate freeze (including a discussion of section 85, section 86, and stock dividends);</li> <li>• matters involving trusts that are used in estate freezes (who should be the settlor, who should be the trustees, what powers the freezor has to control the trust property) and the potential impact on the tax goals of the estate freeze;</li> <li>• valuing frozen corporate shares (including a review of CRA comments and audit activity); and</li> <li>• challenges faced by advisers in planning an estate freeze (including dealing with freezors who want no risk of future litigation).</li> </ul> <p><b>Greg Leslie</b>, CPA, CA, TEP, Halifax: Baker Tilly; Chair, STEP Atlantic</p> <p><b>David Stevens</b>, LLB, TEP, Toronto: Gowling WLG (Canada) LLP</p> <p><b>David Thompson</b>, LLB, TEP, Vancouver: Thorsteinssons LLP</p>
<p>Session 17</p> <p>Tuesday, November 10</p> <p>90 minutes</p>	<p><b>Demystifying the Investing Process for Trusts and Estates</b></p> <p>Moderator/Speaker: <b>Thomas Grozinger</b>, LLB, TEP, Ottawa: RBC Wealth Management</p> <p>The appropriate investing of trust assets crosses all disciplines and raises legal, tax, and fundamental investment policy issues. This context underlies why it is important for the team of professionals serving trust clients to adopt a collaborative model when investing trust assets. This panel reviews the legal rules that structure trustee investment powers, including the implications of the differing provincial standards of the "prudent person" versus the "prudent trustee" and how these standards affect the structuring of a portfolio. The panel also reviews the distinctions between income and capital and the impact on an investing policy statement for a trust. Unique issues, such as trusts with legacy assets as well as 21-year planning, are also discussed.</p> <p>Delegates are encouraged to read the Case Study published in the Speakers' Series app in advance.</p> <p><b>Mark Biderman</b>, LLB, TEP, Toronto: Cidel Trust Company</p> <p><b>Robert Boyd</b>, TEP, Toronto: Scotiastrust</p> <p><b>Howard Carr</b>, JD, TEP, Toronto: Fasken LLP</p>
<p>Session 18</p> <p>Thursday, November 12</p> <p>90 minutes</p>	<p><b>Estate Mediation and Settlements: Tax Issues</b></p> <p>Moderator: <b>Alexandra (Ali) Spinner</b>, CPA, CA, TEP, Toronto: Crowe Soberman LLP</p> <p>The goal of mediation is to reach a solution that meets the needs of parties to a dispute. It empowers the parties to craft an effective resolution that may not be available if the matter proceeds to trial. To take full advantage of mediation, it is imperative that tax and legal advisers go beyond the facts and case law. They must explore different settlement possibilities and understand whether these possibilities are in their client's best interest.</p> <p>The intent of this session is to introduce some of the substantive income tax issues that must be considered when preparing for mediation and/or negotiating a settlement. The panel presents a number of common estate litigation situations and uses them to highlight the tax issues that may arise. Topics include the following:</p> <ul style="list-style-type: none"> <li>• joint tenancies;</li> <li>• dependants' relief claims and the tax implications of deviating from the terms of a will;</li> <li>• non-spousal rollovers to other dependants;</li> <li>• who should bear the tax burden on a registered instrument, such as a registered retirement savings plan;</li> <li>• the challenges presented by <i>Saunders v. Vautier</i>;</li> <li>• requests for a 36-month vesting period;</li> <li>• the role of the disability tax credit;</li> <li>• the effects of appointing an estate trustee during litigation;</li> <li>• the effects of disclaiming an interest in an estate; and</li> <li>• damage payments from lost investment returns.</li> </ul> <p><b>The Hon. Bernadette Dietrich</b>, LLB, Toronto: Superior Court of Justice</p> <p><b>Helen Low</b>, QC, TEP, Vancouver: Fasken LLP</p> <p><b>Diane Tsonos</b>, LLB, TEP, Montreal: Richter LLP</p> <p><b>Peter Weissman</b>, CPA, CA, TEP, Toronto: Cadesky Tax</p>

<p>Session 19 Tuesday, November 17</p> <p>90 minutes</p>	<p><b>Life Insurance Transitions: How to Deal with Corporate, Charitable or Multi Life Transitions</b></p> <p>Moderator: <b>Susan St. Amand</b>, CFP, CLU, FEA, ICD.D, TEP, Ottawa: Sirius Financial Services</p> <p>Life insurance is often an integral part of a comprehensive continuity plan, but, when modified or displaced, a mature life insurance policy can create undesirable and unintended consequences. Panelists explore the implications of modifying the owners, beneficiaries, or insured lives under a policy of insurance, the dangers of policy transfers or conversions, and the steps necessary to mitigate unwanted tax consequences. A case study is used to highlight some of the more common situations encountered in restructuring. Topics include:</p> <ul style="list-style-type: none"> <li>• section 85 transactions involving mature life insurance policies,</li> <li>• joint last-to-die policies when a couple divorces,</li> <li>• protecting family assets from business liabilities, and</li> <li>• charitable gifting of mature life insurance policies.</li> </ul> <p><b>Hemal Balsara</b>, CPA, CA, CFP, TEP, Toronto: Assistant Vice President, Regional Tax, Retirement, and Estate Planning Services, Manulife Financial</p> <p><b>Diane Everett</b>, LLB, CLU, TEP, FEA, Toronto: Vice-President, Planning Services, PPI Advisory</p> <p><b>Brenda McEachern</b>, LLB, TEP, Vancouver: RBC Wealth Management Financial Services Inc.</p>
<p>Session 20 Thursday, November 19</p> <p>90 minutes</p>	<p><b>Update on Cross-Border Tax Planning</b></p> <p>Moderator: <b>Rachel Blumenfeld</b>, LLB, TEP, Toronto: Aird &amp; Berlis LLP; Deputy Chair, STEP Canada</p> <p>Panelists address Canadian and US tax issues that arise in the context of cross-border tax planning. Common cross-border situations are analyzed with a view to finding the most advantageous solution under both the Canadian and the US tax rules. The panel addresses estate planning involving non-resident beneficiaries, including planning for the 21-year deemed disposition and the impact of new subsection 212.1(6) on pipeline planning.</p> <p><b>Stuart Bollefer</b>, LLB, TEP, Toronto: Aird &amp; Berlis LLP</p> <p><b>Carol Fitzsimmons</b>, JD, TEP, Buffalo: Hodgson Russ LLP</p> <p><b>Paul Gibney</b>, LLB, TEP, Toronto: Thorsteinssons LLP</p>
<p>Session 21 Tuesday, November 24</p> <p>75 minutes</p>	<p><b>The New ABCs of Philanthropy: Alternative Charitable Gifts, B-Corps, and Charities' Investment Policies</b></p> <p>Moderator: <b>Robbie Brown</b>, CPA, CA, CFP, TEP, Halifax: BMO Private Wealth</p> <p>This panel, composed of legal, tax, philanthropy, and investment experts, examines the latest trends in charitable giving. Panelists discuss the taxation, valuation, and practical considerations of making alternative gifts to charity, including gifts of wine, art, land, and cultural property. Panel members also cover the latest developments in the fields of B-corporations, social finance, and social enterprise, exploring how clients can use these concepts as part of their investment, tax, and estate planning. In addition, the panel addresses the expanding investment spectrum for charities, including prudent investments under the Trustee Act and program-related investments under the Income Tax Act.</p> <p><b>Adam Jagelewski</b>, Toronto, Executive Lead, MaRS Centre for Impact Investing</p> <p><b>Susan Manwaring</b>, LLB, TEP, Toronto: Miller Thomson LLP</p> <p><b>Hayley Maschek</b>, LLB, Surrey: MNP LLP</p>
<p>Session 22 Thursday, November 26</p> <p>105 minutes</p>	<p><b>STEP Canada-Canada Revenue Agency Round Table</b></p> <p>Moderator: <b>Christine Van Cauwenberghe</b>, LLB, CFP, RRC, TEP, Winnipeg: IG Wealth Management</p> <p>Senior representatives from the CRA answer questions prepared by trust and estate practitioners about cases and issues of concern to both practitioners and their clients.</p> <p><b>Michael Cadesky</b>, FCPA, FCA, FTIHK, CTA, TEP, Toronto: Cadesky Tax</p> <p><b>Kim G.C. Moody</b>, FCPA, FCA, TEP, Calgary: Moodys Tax Law LLP</p> <p><b>Steve Fron</b>, CPA, CA, TEP, Oshawa: Manager, Trust Section II, Income Tax Rulings Directorate, Canada Revenue Agency</p> <p><b>Phil Kohnen</b>, CPA, CMA, TEP, Ottawa: Technical Advisor, Financial Industries and Trusts Division, Income Tax Rulings Directorate, Canada Revenue Agency</p>



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