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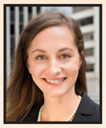
Cross-Border Estate Planning

Chaired by

Cheyenne Reese
Legacy Tax + Trust Lawyers

April 16th, 2021 • Attend via Live Webinar

Chair

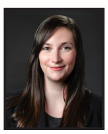


Cheyenne Reese, Principal, Legacy Tax + Trust Lawyers, Vancouver, BC. Cheyenne assists clients with tax, estate and trust planning. Cheyenne received her J.D. from the University of Victoria in 2005 and her Masters of Law Degree in International Taxation from New York University in 2006. As a result, a major part of her practice is related to cross border U.S. – Canada transactions and estate planning, including estate, gift, and generation skipping tax issues. In addition, Cheyenne advises U.S. citizens and green card holders regarding U.S. tax compliance and the U.S. expatriation tax rules. Cheyenne was called to the British Columbia Bar in 2007 and has been at Legacy Tax + Trust Lawyers since that time, becoming a Principal in 2013. Cheyenne has completed Parts I and II of the Canadian Institute of Chartered Accountants' In-Depth Tax Course. She presents often on cross-border tax and estate planning issues.

Faculty

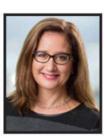
Litza N. Anderson, BA, LLB, TEP, Estate & Trust Consultant, Scotia Wealth Management, Vancouver, BC. Litza provides guidance on estate planning strategies and related documents. Clients benefit from customized tax-considered strategies that align their investment, retirement, philanthropic and estate plans to help safeguard financial well-being into the next generation. Originally from Vancouver, Litza clerked at the Tax Court of Canada in Ottawa and practised for several years at a large law firm in Toronto specializing in estate planning. Prior to returning to Vancouver, she worked in the Cayman Islands at one of the world's largest offshore law firms specializing in succession planning for international high net worth clients. Litza was called to the Ontario Bar in 2002 and the BC Bar in 2009. Litza is a past Chair of the Vancouver Branch of STEP.

Tim Barrett, Partner, Thorsteinssons LLP, Toronto, ON. Tim's practice focuses on corporate and international tax planning and also encompasses taxpayer representation. Tim obtained his juris doctor (honours) from the University of Toronto and clerked at the Federal Court of Appeal for the Honourable Justice David Stratas.



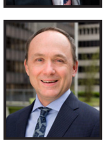
Rebecca Cynader, Associate, Farris LLP, Vancouver, BC. Rebecca is a lawyer in the Tax and Private Wealth Group at Farris. Her practice focuses on all aspects of taxation law including both tax planning and tax disputes. Rebecca has completed the CPA Canada In-Depth Tax Course. Rebecca joined Farris after completing a clerkship at the Tax Court of Canada in Ottawa. Prior to clerking, Rebecca articled at a full-service firm in Vancouver. Rebecca earned her Juris Doctor from the University of Victoria and her Bachelor of Arts (Honours, with distinction) from Queen's University. Rebecca is a member of the Canadian Tax Foundation and the Canadian Bar Association.

Peter J. Glowacki, Partner, Borden Ladner Gervais LLP, Vancouver, BC. Peter is Regional Leader (Planning and Administration) of BLG's Vancouver Private Client Group and practises primarily in the areas of wills, trusts and estates law, including 30 years of experience in all aspects of trust and estate planning, administration and litigation. This includes the planning, preparation and ongoing advice to settlors, will-makers, executors, trustees and beneficiaries pertaining to all aspects of inter-vivos, Indigenous, off-shore and testamentary trusts, as well as advice to financial institutions relating to risk management and compliance in these matters. Peter has a TEP designation from the Society of Trust and Estate Practitioners (STEP). He is a member of the CBABC Wills and Trusts Section, the CBA Charity and Not-for-Profit Law Section executive and a Member of Estate Planning Council of Vancouver. Peter has participated in the planning and presentation of numerous educational sessions to various professional and public groups relative to wills, trusts and estates. He has been selected by peers for inclusion in the 2021 (and since 2014) editions of The Best Lawyers in Canada (Trusts and Estates), was recognized in the 2020 edition of *Canadian Legal Lexpert Directory* (Charities/Not-For-Profit Law) and since 2019 (Estates and Personal Tax Planning and Charities/Not-For-Profit Law) and has a Martindale-Hubbell BV Distinguished Peer Review Rating. Peter is the current Chair of Canuck Place Children's Hospice.



Michelle L. Isaak, Partner, DLA Piper (Canada) LLP, Vancouver, BC. Ms. Isaak practises in the areas of wills, estates and trusts, advising clients on all aspects of estate, trust and incapacity planning. A significant portion of her practice is devoted to advising executors, trustees and beneficiaries on estate and trust administration issues, such as obtaining representation grants; administering assets and trusts; resolving disputes; and passing accounts, both informally and through the court. Michelle has particular expertise in complex trust and estate administration issues such as multijurisdictional estates, insolvent estates, estates administered under the *Indian Act*, and estates where an heir may be responsible for the death of the deceased.

Ryan McCracken, Associate, Farris LLP, Vancouver, BC. Ryan is a corporate and commercial solicitor with a focus on real property transactions and secured financings. His practice covers a wide variety of areas, including assisting clients with debt and equity financings, real estate and business purchases and sales, and commercial negotiations.



Ian Worland, Legacy Tax + Trust Lawyers, Vancouver, BC. Ian advises clients in personal and corporate tax planning, corporate reorganizations, estate planning, charitable gift planning and international tax and trust planning. This work also includes advising clients on tax issues arising in connection with the acquisition or sale of a business, divorce, separation, variations of trusts and wills, and flow-through share financings. Ian also represents clients in disputes with the Canada Revenue Agency and the Ministry of Provincial Revenue (BC) and has appeared on behalf of clients in courts of all levels. Ian has been a member of the Society of Trust and Estate Practitioners (STEP) since 2002 and was a member of the board of directors of STEP Canada from 2007 to 2017, serving as Chair of STEP Canada from 2013 to 2015.

Cross-Border Estate Planning

The structure of Canadian families and businesses is becoming more complex and diverse than ever before, and clients increasingly present with assets and beneficiaries located worldwide. Inefficient planning can be disastrous for clients, and practitioners must stay on top of the best practices and changes in this field. Give your clients peace of mind and security by learning to navigate planning methods and issues that arise when dealing with multiple jurisdictions.

This conference will keep you current on some of the most pressing developments and challenges faced by planners today. Bringing together leading experts on estate planning, wealth management and taxation issues, it will provide you with practical, current advice for addressing the many challenges that arise when clients' assets and beneficiaries are dispersed across multiple jurisdictions. Our expert faculty will provide you with practical planning tools and strategies that you can immediately apply to your practice. You will gain a solid understanding of essential issues and discuss concerns that may arise in your practice.

You Will Learn About:

- Choice of law considerations and the use of multiple wills
- Real estate issues, including inbound investment and Taxable Canadian Property
- Tips and traps when dealing with certain US tax and estate issues
- Considerations when choosing your decision-makers
- Select Canadian and international tax considerations

Who Should Attend:

- Wills, trusts, and estate lawyers
- Tax lawyers and professionals
- Accountants
- Insurance professionals
- Trust officers
- Financial planners and wealth management professionals
- Notaries

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Cross-Border Estate Planning

April 16th, 2021

9:00 Welcome and Introduction by PBLI

9:05 Chair's Welcome and Introduction

Cheyenne Reese
Legacy Tax + Trust Lawyers

9:10 Choice of Law and Multiple Wills

Peter J. Glowacki
Borden Ladner Gervais LLP

- Choice of law considerations
- Determining location of different types of assets
- Using separate wills for assets in different jurisdictions
- Practice points when administering multiple wills
- Drafting multiple wills: traps to avoid, sample language
- Remote/virtual execution

9:55 Questions and Discussion

10:05 Morning Break

10:20 Real Estate Holdings

Rebecca Cynader & **Ryan McCracken**
Farris LLP

- Speculation Tax and Vancouver Vacancy Tax
- Foreign Buyers Property Transfer Tax
- Land Owner Transparency Act
- Principal Residence Exemption
- Inbound investment planning

11:05 Questions and Discussion

11:15 US Tax and Estate Issues

Cheyenne Reese
Legacy Tax + Trust Lawyers

- US estate and gift tax issues
- Select tax considerations of dual citizenship, expatriation
- Considerations when choosing US decision-makers or beneficiaries
- Moving trusts to the US: sample language

12:15 Questions and Discussion

12:25 Lunch Break

1:20 Considerations When Choosing Your Decision-Makers

Litza N. Anderson
Scotia Wealth Management
Michelle L. Isaak
DLA Piper (Canada) LLP

- Looking at the various estate planning roles:
  - Right person for the role
  - Co-appointments vs. sole appointments
  - Impact of naming non-residents
  - When to consider a professional
- Sample language for acting decision-makers to appoint co-decision-makers when appropriate

2:05 Questions and Discussion

2:15 Afternoon Break

2:30 Select Canadian Tax Considerations

Ian Worland
Legacy Tax + Trust Lawyers

- Residency and deeming provisions
- Source rules for taxation of income
- Tax implications of repatriating to Canada
- When and when not to use a trust

3:20 Questions and Discussion

3:30 Select International Tax Considerations

Tim Barrett
Thorsteinssons LLP

- Offshore trusts: select planning points and repatriation
- Offshore investment funds
- Domestic trusts with non-resident beneficiaries
- Emigration planning

4:20 Questions and Discussion

4:30 Chair's Closing Remarks

4:35 Program Concludes

R TODAY!

PBLI Pacific Business & Law Institute

Information

Four Ways to Register:

1. Telephone us: 604-730-2500 or toll free 877-730-2555
2. Fax us: 604-730-5085 or toll free 866-730-5085
3. Mail your registration form with payment
4. Register at **www.pbli.com/1654**

Registration: The registration fee is $720.00 plus GST of $36.00 totalling **$756.00** covering your access to the live webinar and electronic materials.

Group Discount: Register four persons from the same organization at the same time and you are entitled to a complimentary fifth registration.

Payment: You may pay by VISA, MasterCard or cheque. Cheques should be made payable to the Pacific Business & Law Institute. Registration fees must be paid prior to the program.

When and Where: Check-in begins at 8:30 a.m. The program starts at **9:00 a.m.** (**PDT**). Attend via Live Webinar: All you need is a computer with a good internet connection and external plug-in speakers or good headphones for optimal audio and volume.

Materials: The faculty will prepare papers and/or other materials explaining many of the points raised during this program. Please contact us at registrations@pbli.com if you are unable to attend the program and wish to purchase a set of materials.

Your Privacy: We will keep all information that you provide to us in strict confidence, other than to prepare a delegate list containing your name, title, firm and city for our faculty and the program delegates. We do not share our mailing lists with any non-affiliated organization.

Cancellations: Full refunds will be given for cancellations (less a $60.00 administration fee) if notice is received in writing five full business days prior to the program (**April 9th, 2021**). After that time we are unable to refund registration fees. Substitutions will be permitted. We reserve the right to cancel, change or revise the date, faculty, content, availability of webinar or venue for this event.

Course Accreditation: Attendance at this course can be listed for up to **6.16 hours** of continuing professional development with the Law Society of BC.

Registration Form

Pacific Business & Law Institute

Unit 2 - 2246 Spruce Street
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April 16th, 2021

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❑ Estate planning ❑ Personal tax ❑ Taxation of real estate ❑ Taxation of small business ❑ Trusts ❑ Other __________

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