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FIRST NATION COMMUNITY TRUSTS

Chaired by

Jaimie Lickers
CIBC

February 26th, 2021 • Attend via Live Webinar

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CHAIR



Jaimie Lickers, Vice President, Indigenous Markets, CIBC, Hamilton, ON. Ms. Lickers leads CIBC's Indigenous Markets teams, overseeing the Indigenous lending portfolio and trust management. Prior to joining CIBC, Ms. Lickers was a lawyer who specialized in advising Indigenous clients on the development, structuring and drafting of their trust deeds. She also has considerable experience on issues related to Indigenous membership and Indigenous taxation.

FACULTY

Gwen Barron, Alderville First Nation, ON. Gwen is a member of the Alderville First Nation and currently sits on the board of trustees for the Alderville Williams Treaty Settlement Trust. She has also been a trustee on Alderville's Community Trust for over a decade, and now sits as the Trust's chair. In her professional career, Gwen is a clerk for the Ontario Courts of Justice (Superior Court) in Cobourg, Ontario and Office Administrator for the Ontario Legal Aid Plan. She is a graduate of the international trade program at Fleming College. She is also a member of the Board of Directors of the IOOF Seniors Home Inc. in Barrie Ontario and a former councillor of Alderville First Nation.



Lisa Caswell, MBA, CFA, Vice President, Indigenous Services, T.E. Wealth, Toronto, ON. As Vice President of T.E. Wealth's dedicated Indigenous Services practice, Lisa brings over 30 years of experience in the investment industry as a portfolio manager and client relationship professional. She specializes in working with community leadership and trustees across Canada on the planning, development and implementation of efficient and cost-effective Indigenous trust and wealth management solutions. Lisa takes great pride in T.E. Wealth's ability to offer trusted and comprehensive support, which includes community readiness and planning; trustee training and member communication strategies. She has a deep understanding of global economics and financial markets, including extensive knowledge of debt, equity and alternative investments.



Linda Hartford, National Director, Indigenous Trust Services, Indigenous Markets, CIBC, Victoria, BC. Linda drives CIBC's Indigenous wealth strategy particularly trust development, oversight and relationship management. She engages communities and develops relationships to effectively support the successful acquisition, management and utilization of wealth for reconciliation, healing, economic development and general betterment of Indigenous communities. Linda also oversees the delivery of transparent and culturally appropriate communication, reporting and education, including financial literacy and education in Indigenous Communities. Linda is a subject matter expert on Indigenous trusts and speaks regularly at NATOA and other events, conferences.

Jason Marsden, Alderville First Nation, ON. Jason is an elected councillor and a lifetime resident of the Alderville First Nation. He was previously selected to sit on the Trust Development Committee, which developed the policies and guidelines and assisted in choosing the major players in regards to the Trust, and was part of the Trust Selection Committee. He now sits on the Trust as member of Chief and Council.



Mike McDonald, Q.C., Partner, Clark Wilson LLP, Vancouver, BC. Mike McDonald is a Partner with Clark Wilson LLP, where he serves as Chair of the Indigenous Law Group. Since 1990, Mike has been a principal proponent of Indigenous economic growth, leading many of Canada's most intricate and complex precedent-setting Indigenous development projects totaling more than \$20 billion, in the energy, forestry, mining, oil & gas, construction, tourism and real estate sectors, including various businesses and wealth management structures flowing from those deals. A member of the Peguis First Nation in Manitoba, Michael couples vast business experience with distinct cultural understanding to serve his clients from a holistic perspective, crafting solutions that unite legal, commercial, governance and social interests.



Shannon Rohan, Chief Strategy Officer, Shareholder Association for Research & Education, Vancouver, BC. Shannon joined SHARE in 2006 as a Program Officer and currently holds the position of Chief Strategy Officer where she works with pension funds, foundations, Indigenous trusts and universities to develop and implement responsible investment policies and practices. Shannon also leads strategic projects for SHARE including the Valuing Decent Work Initiative and the Reconciliation and Responsible Investment Initiative.



Mark Sevestre, Founding Member and Senior Advisor, National Aboriginal Trust Officers Association, Hagersville, ON. In 2006, Mark became one of three founding members of the National Aboriginal Trust Officers Association (NATOA), a Charitable organization dedicated to providing knowledge and capacity building on trust funds and investment for Indigenous communities. Mark is leading the Reconciliation and Responsible Investment Initiative in partnership with Share Canada, which is linking Indigenous Values to Indigenous Investing as well as helping Non-Indigenous Investors utilize their portfolios to achieve the goals of Reconciliation in Canada. Mark has also served as the General Manager of the Mississaugas of the Credit First Nation Community Trust since 1999. Mark is Mohawk and resides in the Six Nations of the Grand River Territory.



Jerome Slavik, Slavik & Associates, Edmonton, AB. Mr. Slavik is a former Partner with Ackroyd LLP. For over 36 years, his practice has focused on providing legal advice to over 50 First Nations, Tribal organizations and Métis Communities in Saskatchewan, Alberta, British Columbia and the Northwest Territories. Mr. Slavik has provided legal counsel to First Nations on the validation, negotiation and settlement of outstanding treaty entitlements and specific claims against the Crown. He has been legal counsel for 24 specific claim settlements with a net present value of over \$2 billion and the accompanying settlement trusts. In addition, through his consulting company, Slavik & Associates, he has provided training in Crown/First Nation negotiations to the Governments of Nova Scotia, Ontario and Quebec, as well as numerous Tribal Councils, First Nations and Aboriginal organizations across Canada.



Maurice Switzer, Bnesi, Alderville First Nation, ON. Maurice is a member of Alderville First Nation and a trustee on the Alderville Williams Treaty Community Trust. He lives in North Bay, ON. He has served as member of the Ontario Human Rights Commission, communications director for the Assembly of First Nations and Union of Ontario Indians, adjunct professor on the Laurentian University campus, and publisher of the Winnipeg Free Press.

FIRST NATION COMMUNITY TRUSTS

Trusts can be effective tools for the creation and protection of strong and sustainable First Nation communities. However, First Nation trusts can present administrative and fiduciary complexities not found in ordinary or commercial trusts. In order to yield their potential economic and social community benefits, they must be properly structured and prudently managed.

This forum assembles an expert faculty who will discuss fundamental issues in the development, operation and management of First Nation trusts, and share practical information and advice on key concerns. Delegates will leave with a solid grasp of the best practices, practical advice and necessary tools for creating and managing successful trusts.

Areas To Be Addressed:

- Trustee duties and responsibilities, including potential issues that can arise
- Best practices for building and managing trusts
- Per capita distributions
- Strategies for investing in line with a community's goals
- Engaging the community during COVID-19
- A success story case study

Who Should Attend:

- Aboriginal leaders, officials, councillors and elders
- Government officials assisting with First Nations' financial management and economic development
- Treaty and claims negotiators
- Investment managers and professionals
- Representatives of financial institutions
- Lawyers, accountants, business development professionals, financial planners, consultants and others assisting First Nations with negotiations, setting up financial controls and business operations



Kaisha Thompson, Associate, Gowling WLG, Ottawa, ON. Kaisha Thompson is an associate lawyer in Gowling WLG's Ottawa office. She is a problem-solver with experience working on complex litigation matters. Kaisha represents clients before the Superior Court of Justice and Federal Court of Canada. Kaisha is a legal advisor to a number of Indigenous trusts across Canada. In addition to this work, Kaisha is on the Day School Class Action legal team which engaged in national consultation prior to the settlement and now provides advice to thousands of claimants seeking compensation for historic abuse.



Katherine Wheatley, Program Manager, Shareholder Association for Research & Education, Vancouver, BC. Katherine Wheatley is program manager for the Reconciliation and Responsible Investment Initiative (RRII), a partnership between SHARE and the National Aboriginal Trust Officers' Association (NATOA) that aims to promote responsible investment policies and practices that include reconciliation goals. Prior to joining SHARE in 2019, Katie worked in intergovernmental affairs with various First Nations to protect their Aboriginal rights and title and enhance environmental conservation through government relations, negotiation with industry, and international advocacy.



Vickie Whitehead, Director, Indigenous Services, Crowe Mackay LLP, Vancouver, BC. Vickie has worked with First Nations in British Columbia and across Canada for over 20 years. Her expertise is in Indigenous financial management matters including financial advisory services, trust creation and management, governance, accounting, program governance, and community engagement. The majority of her early career was with the Department of Indigenous Services Canada in the BC and National offices, in various financial, policy and management related roles with a personal focus on Indigenous ideals and values. Vickie is Cree Métis, completed her Masters of Business Administration in the spring of 2012, holds a CPA, CGA, designation, and is a Certified Aboriginal Finance Manager (CAFM). She currently volunteers on the following boards: Chair of the National Aboriginal Trust Officers Association; Treasurer, Vancouver Aboriginal Health Society; Board Member, Aboriginal Financial Officers Association of Canada; and Board Member, YWCA Vancouver. She is also a committee member of a First Nation Finance and Audit Committee.

FIRST NATION COMMUNITY TRUSTS

FEBRUARY 26TH, 2021

9:00 Welcome and Introduction by PBLI

9:05 Chair's Welcome and Introduction

Jaimie Lickers
CIBC

9:10 Fiduciary Duties of Trustees

Mike McDonald, Q.C.
Clark Wilson LLP

- Trustee skills, roles and responsibilities

10:00 Questions and Discussion

10:10 Morning Break

10:25 Best Practices with First Nation Trusts

Jerome Slavik
Slavik & Associates

- Valuable insights, best practices and common pitfalls learned from the increased use of trusts by First Nations

11:15 Questions and Discussion

11:25 Per Capita Distributions

Linda Hartford
CIBC Trust
Jaimie Lickers
CIBC

Vickie Whitehead
Crowe Mackay LLP

- Per capita distributions by First Nations becoming increasingly common
- What to consider when deciding whether to issue a per capita distribution
- Exploring the legal, financial and social considerations factoring into this decision

12:20 Questions and Discussion

12:30 Lunch Break

1:25 Investing with Purpose

Shannon Rohan & Katherine Wheatley

Shareholder Association for Research & Education

Mark Sevestre

NATO

- The Reconciliation and Responsible Investment Initiative
- Aligning investment policies and practices with community values
- New research on Indigenous law and fiduciary duty

2:15 Questions and Discussion

2:25 Afternoon Break

2:40 Community Engagement in the Time of COVID

Lisa Caswell

T.E. Wealth

Kaisha Thompson

Gowling WLG

- Establishing a community vision through the identification of realities, conditions, needs, gaps and aspirations
- How to establish the most optimal financial structure for the long term benefits of the community
- Initiating member consultation efforts to help inform, educate, and obtain feedback throughout the planning and development stages of trust development
- How to hold consultations, how to hold annual meetings in the "new normal"

3:30 Questions and Discussion

3:40 Alderville Community Trust Development: A Case Study

Gwen Barron, Jason Marsden & Maurice Switzer

Alderville First Nation Community Trust

- Insights from trustees into their trust development process following the finalization of their treaty settlement
- Developing and operationalizing the trust, highlighting challenges and successes

4:30 Questions and Discussion

4:40 Chair's Closing Remarks – Program Concludes

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/1644

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 Discounts: 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. (PST)**. 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 (**February 19th, 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 **6.25 hours** of continuing professional development with the Law Societies of BC and Ontario. For Alberta lawyers, consider including this course as a CPD learning activity in your mandatory annual Continuing Professional Development Plan as required by the Law Society of Alberta.

Registration Form

Pacific Business & Law Institute

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FIRST NATION COMMUNITY TRUSTS

February 26th, 2021

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