



*Get practical  
safeguards to  
avoid litigation!*



# Domestic Contracts & Testamentary Freedom

*with Gary Kirk*

**Thursday, October 24, 2024**

**Live webinar with chat**

*includes 60 day replay\**

9:00 am – 10:30 am (Pacific)

10:00 am – 11:30 am (Mountain)

11:00 am – 12:30 pm (Central)

12:00 pm – 1:30 pm (Eastern)

1:00 pm – 2:30 pm (Atlantic)

1:30 pm – 3:00 pm (Newfoundland)

*\*This program features real-time audio and video of the presenter with synchronized presentation slides, and a chat feature that allows for live Q & A. SK attendees please verify whether you align with Central (MB) or Mountain (AB) time based on season and location.*

## WHO SHOULD ATTEND

This program will be of interest to lawyers practicing in the areas of family law, elder law, and wills and estates law.

## ABOUT THE PROGRAM

Testamentary plans usually assume that a domestic contract is effective, leaving the testator free to dispose of any portion of their estate that is not otherwise encumbered by the terms of an agreement. However, as with most legal issues, there is no certainty that these contracts will be upheld. Judicial consideration has shown that domestic contracts are vulnerable to being set aside or varied in the future, where equity can be argued. So, what can drafting lawyers do to help ensure a testator's wishes have the intended effect? This presentation by experienced wills and estates and family law mediator and litigator Gary Kirk will provide prophylactic steps to help ensure the integrity of domestic contracts and minimize the need to take remedial steps - the effectiveness of which is uncertain - or litigate the validity of a contract after the fact. By the end of the program, you will better understand:

- the factors that affect judicial consideration of domestic contracts and testamentary freedom
- the risks of claims and court intervention
- fundamental safeguards that should accompany domestic contracts involving inheritance waivers

Your clients' confidence and certainty in their testamentary plans will increase if appropriate and prudent steps are taken when executing a domestic contract. Attend this program and learn what you can do to help preserve the function and intent of these contracts.

## SCHEDULE (Eastern)

**12:00 pm - 1:30 pm**

**Welcome and Introduction**

**Pre and Post-relationship Domestic Contracts**

**Legislative Regimes and Public Policy**

**Full and Transparent Financial Disclosure**

**Robust Independent Legal Advice**

**Risks of Challenge After the Fact**

**Additional Practical Pointers**

**Program Wrap-up and Evaluation**

## PRAISE FOR PAST PROGRAMS

*"Super practical. I learned a lot."*

*"Excellent presenter - well organized, thorough and very practical. Appreciated all the personal examples and explanations he shared."*

*"Liked getting the slides and sample letters. Always nice to have examples from good lawyers."*

*"Very informative, polished presentation. Top marks all around."*

*"I've been doing wills work for 5 years and found everything useful. Would definitely recommend."*



**ON:** This program contains 1.0 Substantive hour and 0.5 Professionalism hours.

**BC:** This program has been approved for 1.5 CPD hours, including 0.5 hours of professional responsibility and ethics, client care and relations, and/or practice management.

**SK:** This program qualifies for 1.5 CPD hours (0.5 of which qualify as ethics hours) under the Law Society of SK CPD Policy. Lawyers in other mandatory CPD jurisdictions may count their attendance towards their CPD requirement/plan.

Seminar Partners is an Accredited Provider of Professionalism Content by the Law Society of Ontario and a pre-approved CPD Provider of the Law Society of British Columbia.

## MEET YOUR PRESENTER



**Gary Kirk** has been practicing law for more than 20 years and is the Managing Partner of Kirk Montoute Dawson LLP in Calgary, Alberta. In addition to Mediation/Arbitration, Wills & Estates and Family Law, Gary is also an experienced litigator.

Gary has appeared before all levels of court in Alberta. Gary also has extensive training as a Mediator and Arbitrator and has participated in numerous Mediation, Arbitration and Judicial Dispute Resolution Hearings, both as counsel and as Mediator/Arbitrator. Gary is a member of the Law Society of Alberta, the Canadian Bar Association and the ADR Institute of Alberta. Gary is an active member of the Family Law and Estates and Trusts Sections of the Alberta Bar Association. Gary writes and speaks for legal and other audiences about family law topics and estate planning matters, including for STEP Inside, the publication of the Society of Trusts and Estates Practitioners, as well as for the Alberta Bar Association and the Legal Education Society of Alberta.

### ✓ Yes, I want to attend **Domestic Contracts & Testamentary Freedom, with Gary Kirk** **Thursday, October 24, 2024 • Live webinar with chat and 60 day replay\***

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\* Materials will be distributed electronically in advance. Live webinars feature real-time audio and video of the presenter with synchronized presentation slides, and a chat feature that allows for live questions and verbal responses by the presenter. The recording of the webinar is available for 60 days.

#### REGISTRATION FEE:

- On or before October 4, 2024: **\$140.00 + \$18.20 (13%) HST\* = \$158.20 - Save \$25.00!**
- After October 4, 2024: **\$165.00 + \$21.45 (13%) HST\* = \$186.45**

\*With ON HST. Please adjust tax for attendee's province as follows: 5% in AB, BC, MB, NWT, NU, SK, YK. 13% in ON. 15% in NS, NB, PEI & NL.

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