*Joint retainers, fiduciary roles, witnesses & more!*


# Managing Conflicts of Interest in Trust and Estate Planning

*with Richard Niedermayer, TEP*

**Thursday, December 3, 2020**

**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 to 3:00 pm (Newfoundland)

**This program features real-time audio 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 is designed for all lawyers practicing, or who have the goal of practicing, in the area of wills, estates and trusts law.

## ABOUT THE PROGRAM

Trusts and estates lawyers face a myriad of legal and ethical issues that can create the potential for conflicts of interest - and professional liability. Such situations are rarely the result of bad lawyers or intentionally bad acts - instead good lawyers don't always communicate clearly enough or document enough, or don't see the potential for conflict of interest a situation may present. This new, 90 minute webinar will focus on several key areas where conflicts of interest frequently arise in the trust and estate planning context, including:

- Lawyers representing spouses or multiple generations of the same family
- Lawyers acting in a fiduciary role for a client
- Lawyers acting as a witness to a will or a trust

Experienced trusts and estates practitioner Richard Niedermayer, TEP will use real cases, hypothetical fact scenarios and the Federation of Law Societies of Canada's *Model Code of Professional Conduct* to discuss how these scenarios create potential conflicts of interest, and share practical strategies to help protect you and your clients. Specific attention will be paid to retainer agreements, independent legal advice, and compensation matters. By the end of the program you'll be better equipped to recognize scenarios that present a potential conflict of interest, have new ideas to refresh your interviewing and file documentation techniques, and feel more confident in your processes and practices to avoid ethical violations and legal liability. Don't miss this unique opportunity to deepen your understanding of conflicts of interest in estates and trusts law!

## SCHEDULE (Eastern)

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

**Welcome and Introduction**
**Conflicts with Clients – Drafting**
**The Importance of ILA**
**Joint Retainers**
**Acting in a Fiduciary Role for a Client**
**Lawyer as Witness**
**Virtual Signings and Best Practices**
**Program Wrap-up and Evaluation**

## MEET YOUR PRESENTER

**Richard Niedermayer, TEP** is a partner in the Halifax office of Stewart McKelvey and a leading Canadian practitioner in trusts, tax and corporate law. He works primarily with individuals and owner-managed and family businesses on a broad range of estates and trusts, tax, and corporate matters, including complex estate plans involving tax-planned wills with multiple trusts and tax-planned corporate reorganizations involving family trusts, holding companies and similar planning structures. Richard is a Past Chair of the Canadian Bar Association's Nova Scotia and National Wills, Estates and Trusts Sections and a Past Chair of the Atlantic Canada Branch of the Society of Trust and Estate Practitioners (STEP). He currently serves as National Secretary of STEP Canada's Board of Directors. He is also a member of the Canadian Tax Foundation. Richard is listed by *Best Lawyers* for Trusts and Estates and Corporate Law, by *Lexpert* for Estate and Personal Tax Planning/Estate Litigation, and by *Who's Who Legal Canada* for Private Client. He holds a BV Distinguished peer reviewed rating from Martindale Hubbell and the TEP designation from STEP. Richard is a frequent writer and speaker on estate and tax topics, and his perspective is sought by such well-known publications as the *Globe & Mail*, *Canadian Lawyer*, and *The Lawyers Weekly*.

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### √ Yes, I want to attend Managing Conflicts of Interest in Trust and Estate Planning

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* Materials will be distributed electronically in advance. Live webinars feature real-time audio 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 November 13, 2020: $140.00 + $18.20 (13%) HST* = $158.20** ***- Save $25.00!***

□ After November 13, 2020: $165.00 + $21.45 (13%) HST* = $186.45

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