

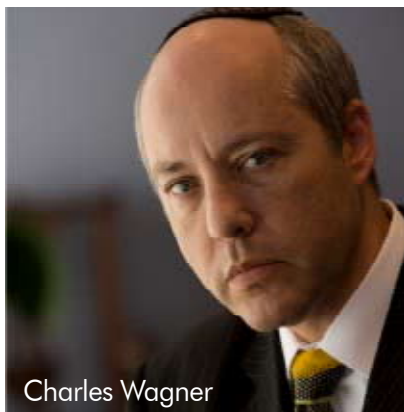
B'nai Brith Seminar: "Financial Predators and the Elderly – Banton v Banton."

The Estate and Trusts Group, Lawyers Division B'nai Brith and the adult education committee of Shaarei Shomayim are sponsoring a continuing legal education seminar entitled "Financial Predators and the Elderly – Banton v Banton."

In this case the 88-year-old George Banton fell in love with a 32-year-old waitress named Muna. He married Muna and made a new will that disinherited his children. Virtually all contact with his kids stopped. At the time Mr. Banton was depressed, terminally ill, and mentally unwell. On hearing that their father was certified as incapable and that Muna had withdrawn \$10,000 from his account, George's sons used their power of attorney to transfer George's money into an irrevocable inter vivos trust, under which they and CIBC Trust Corporation would be the trustees. The trust allowed the money to be used for George during his life and would go to his children after his death.

When George died, his children challenged the new will and the validity of the marriage to the much younger Muna. She challenged the sons' creation of the trust. The fact situation in Banton v Banton underscores the risk to the elderly of being victimized by financial predators who look to marry a vulnerable older person as a means to take away their money and disinherit their children.

To quote the judge in the Banton case, "I have no doubt at all that this influence was deliberately exerted to enable her to obtain control and, ultimately, the ownership of his



Charles Wagner

assets.... After she consented to marry him, her influence became overwhelming and irresistible. The speed with which she was able to procure a will and a power of attorney in her favour is testimony to this as well as to his weak and vulnerable mental condition. ...Thereafter, he was held incommunicado as far as his family were concerned.... I believe George Banton was a mere puppet, when he was not simply a bystander, during the guardianship proceedings."

These continuing legal education seminars have been going on for approximately four years. Many members of B'nai Brith are professionals whose practice involves serving senior citizens and their families. B'nai Brith runs these seminars in order to meet present and future educational needs of our membership's legal and accounting profession. These seminars were inspired, in part, by legal problems of concern to the Jewish community as well as the commu-

nity at large.

The choice of this topic, in part, is based on the pressing need of professionals to address Elder Abuse in the general and in the Jewish community in particular. As documented by Joy Solomon in her article SOUNDING THE SHOFAR: A Wake-up Call to the Epidemic of Elder Abuse the Jewish community is not immune to the plague of elder abuse. Provincial statistics show that there may be as many as 150,000 seniors being victimized in Ontario. One common form of elder abuse is financial.

To educate attendees, these seminars feature some of Ontario's premiere estate litigators. These lawyers will be participating in mock court proceedings based on the fact scenario of Banton v Banton. Prior to the moot court Rachel Blumenfeld, an estate lawyer (bit.ly/rblumenfeld), will explain the legal options open to children



Kimberly Whaley

wanting to protect elderly parents in second marriage situations. Thereafter, Rabbi Joe Kanofsky of Shaarei Torah will speak from an ethical pastoral perspective about the obligations and choices to the children, parent and professionals when dealing with this type of scenario. The Rabbi's presentation can be used by lawyers towards fulfilling their mandatory 3 hours of continuing professional development related to professional responsibility, ethics and practice management.

The judge for the moot appeal will be Jordan Atin (<http://bit.ly/jordanatin>). Archie Rabinowitz (<http://bit.ly/arabinowitz>) and Kimberly Whaley (<http://bit.ly/kwhaley>) will be representing the Banton children and Ian Hull (<http://bit.ly/ianhull>) and Charles B. Wagner (<http://bit.ly/cwagner>) will be representing the waitress.

Each attendee will receive a binder and a flash drive which will contain papers prepared by the lawyers about different aspects of the case as well as some actual court documents relating to Banton. At the end of the seminar there will be a question and answer session from the panel and the participants.

The community is encouraged to attend. The seminar will be held Thursday, May 16th, 2011 at Shaarei Shomayim 470 Glencairn Ave ON M5N 1V8. Registration starts at 7:30 am. and the seminar starts at 8:00 a.m. For information or to register, call Hyla Reichmann at (416) 633-6224, ext. 128, or email hreichmann@bnaibrith.ca

What's On This Week

Harold Green Jewish Theatre presents Zero Hour. March 26 to April 16 at 2:00pm and/or 8:00pm at the Al Green Theatre. Direct from Broadway, this fantastically funny play is written by and stars original Broadway star Jim Brochu in an animated portrait of the great comedian Zero Mostel. Admission: \$40- \$65. Tickets: (416) 366-7723 or www.stlc.com. Info: www.hgjewishtheatre.com

Orchestra Toronto welcomes spring by celebrating the music of North and South America and the strong ties that unite us at a concert for the whole family. Americana features music by Canadian, American, Brazilian and Argentinean composers and is highlighted by a performance by Mexican-born classical guitarist Dieter Hennings. The performance will be held on Sunday, April 17 at 3:00pm at the George Weston Recital Hall of the Toronto Centre for the Arts, 5040 Yonge Street. Single tickets for adults (\$38), for seniors (\$33)

and for those up to 18 years old (\$11) can be purchased at the Toronto Centre for the Arts box office or through Ticketmaster at (416) 872-1111 or www.ticketmaster.ca.

Discussing the Details with Graphic Details Artists. Toronto-based artists Bernice Eisenstein and Sarah Lazarovic, both featured in Graphic Details, will discuss how graphic storytelling became the medium for narrating their own life experiences. Moderated by Dan Friedman, Arts and Culture Editor of the Forward, the Media partner for Graphic Details. Sunday, April 17, 2011 at 3:00pm. Free admission. The Gladstone Hotel, 1214 Queen Street West. For more details visit www.kofflerarts.org/Whats-On/Event-Detail/?recordid=146

Ve'ahavta: The Canadian Jewish Humanitarian and Relief Committee invites you to a community seder. Tuesday, April 19 at 5:30pm at Congregation Habonim, 5 Glen Park Ave.

Call Ori at (416) 964-7698 x226 or email ori.belmont@veahavta.org to register.

Semi Annual Stamp Auction sponsored by the North York Philatelic Society will be held on Wednesday, April 20, 2011 between 6:00pm and 9:00pm at the Herbert H Carnegie Centennial Centre, 580 Finch Ave W. (one & a half blocks west of Bathurst St.). The auction will be held in the Skaters Lounge Room. Free admission, ample free parking. For more info please call Mike Turk at (905) 731-8380.

The Toronto Jewish Folk Choir celebrates its 85th annual spring concert by commemorating the original immigrant workers who founded the choir. Its performance features special guests Beyond The Pale. The concert takes place at the Posluns Auditorium at Baycrest, 3560 Bathurst Street, north entrance, 2nd floor (wheelchair accessible), Sunday May 15 at 3:00pm. Tickets are

\$25; seniors and students, \$20; children 12 and under free. Information and ticket reservations may be obtained by calling (416) 789-5502 or e-mailing tjfolkchoir@sympatico.ca

Registration NOW OPEN for 2 great new Jewish Life programs:

1. Spring Ulpan for Beginners, May 3 – 26, Tuesdays and Thursdays, 6:30-8:30 pm with Rachel Stark. \$200 NM/\$175 M + HST. Info: sharonis@mnjcc.org or (416) 924-6211 x 154. Learn how to get around in Hebrew! Cover the basics of Hebrew reading, writing, and conversation in a fast-paced format.

2. The Life and Times of Yiddish with Professor Kalman Weiser. May 5 – 26, Thursdays, 7 - 8:30 pm. \$48 M/NM. Explore the social history of perhaps the most quintessentially "Jewish" of all Diaspora Jewish languages. Where does Yiddish come from and what is it - shtetl vernacular, language of progressive culture, dialect of ultra-Orthodox Jews, jargon of academics? How its distinct flavour felt is in today's English and Hebrew? Info: sharonis@mnjcc.org or (416) 924-6211 x 154