

CLE for Lawyers & Accountants 100 Questions about a Will Challenge

Tuesday, June 2, 2015

PRESENTERS



Charles Wagner

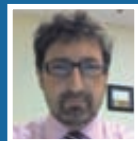
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**Rabbi Mordechai
Torczyner**
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Will Challenges, Ethics and Halacha

Since 2006, B'nai Brith Canada's Estates & Trusts Group, Lawyers Division has been providing



Charles Wagner

seminars to lawyers and accountants on estates and trusts issues.

In each of our seminars, there is one thing that separates us from the balance of the CLE programs offered in the city.

We address ethical issues in the context of estates, Ontario and Jewish law. Under the Substitute Decisions Act, a person can appoint a person as power of attorney for property to manage property and to make personal care decisions. The legislation sets out certain duties of that person which includes an obligation to obtain a copy of the last valid will and



**Rabbi Mordechai
Torczyner**

testament of the grantor and ensure in managing the grantor's property, that specific assets bequeathed to specific parties are not liquidated if possible. Arguably, that might require a court to adjudicate on the validity of a will prior to the testator's demise.

We have invited Archie Rabinowitz of Dentons Canada and Rabbi Mordechai Torczyner of Yeshiva University Torah Mitzion Beit Midrash Zichron Dov of Toronto, to present a paper that compares and contrasts the obligations of a power of attorney under Ontario and Jewish law. Archie Rabinowitz is uniquely qualified in this regard not only because of his time spent in Yeshiva studying Halacha, but because he is a senior member of

the estates bar. Rabbi Torczyner is the Rosh Kollel of YU Kollel in Toronto. He has been a frequent



Archie Rabinowitz

guest speaker at the seminar and holds a series of CLE lectures for lawyers throughout the year on issue that arise when Halacha and common law conflict.

Archie's and the Rabbi's presentation will address how the different legal systems deal with the Power of attorney issues. May the power of attorney profit from his/her role? Is gifting assets of the grantor permitted? What restrictions exist on the discretion of the POA with respect to property and personal care? Finally – what is the ethical and professional obligation of the orthodox Jewish power of attorney and lawyer when the obligations of Ontario's law and Halacha conflict?

The event will take place on June 2nd, 2015 at Shaarei Shomayim-Synagogue at 470 Glencairn Avenue, Toronto, Ontario M5N 1V8. Registration is at 7:30am and the moot court will begin at 8:00am. The event is open to lawyers and accountants. Those interested in attending may contact Elyse Gruenspan at B'nai Brith Canada at (416) 633-6224 or email at egruenspan@bnaibrith.ca. Charles B. Wagner, of Wagner Sidlofsky LLP, is a certified specialist in Estates & Trusts Law. He chairs the Estate and Trusts Group, Lawyers Division of B'nai Brith that created and runs this annual continuing legal education program for professionals dealing with estate and trust issues.

Sponsored By: B'nai Brith Canada, Bank of Nova Scotia Trust Company, Hull & Hull LLP, Wagner Sidlofsky LLP and Whaley Estate Litigation



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Shaarei Shomayim Synagogue 470 Glencairn Ave., Toronto

Registration & Breakfast: 7:30 am Program: 8:00 am – 12:00 noon Cost \$100+tax
To register, please contact Elyse Gruenspan at 416-633-6224 x109 egruenspan@bnaibrith.ca
This program is eligible for substantive CPD hours required of Lawyers by the LSUC