

WE CAN HELP YOU WITH...

- Will and trust planning
- Powers of attorney and incapacity planning
- Advising executors, trustees and beneficiaries
- Will and trust interpretations
- Facilitating resolution of estate disputes
- Family succession business planning

Joanna's legal practice provides clients with comprehensive estate planning, estate administration and mediation services. She also practices in the areas of related business law and taxation, partnering with accountants, investment advisors and other professionals to provide business and succession planning services.

Her experience in estate planning and administration includes over 20 years with a major Canadian trust company. She subsequently concentrated on taxation, working in the tax advisory group of a national trust company and the corporate tax department of a major professional accounting firm.

PROFESSIONAL & EDUCATIONAL BACKGROUND

- Member of the Law Society of Upper Canada
- Member of the Canadian & Ontario Bar Association
- Member of the Canadian Tax Foundation
- Member of the Estate Planners Council of Oakville
- Mediator with Oakville Dispute Mediators Inc.
- B.A. (Honours), M.A., LL.B.
- LL.M. (Taxation) Osgoode Hall Law School
- T.E.P. (Member of the Society of Trust and Estate Practitioners)

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&
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ESTATE PLANNING... MORE THAN JUST A WILL

Estate Planning is a process.

It provides for the accumulation, management and preservation of assets during your lifetime and a plan for the distribution of those assets at the time of your death. It can help minimize the tax burden to your estate and your beneficiaries.

An estate plan needs to be reviewed periodically and in particular, when there has been a change in the circumstances on which the plan was based.

While wills are the most common vehicles used to carry out estate planning, other planning tools and techniques include:

- Continuing Powers of Attorney for Property
- Powers of Attorney for Personal Care
- Gifts during your lifetime
- Joint ownership of property
- Life insurance designations and declarations
- Beneficiary designations of registered plans
- Advance medical directives (living wills)
- Inter vivos (living) trusts, including alter ego trusts and joint partner trusts
- Multiple wills
- Estate freezing transactions

"I want to provide enough to my children so that they can do something, but not enough so that they can do nothing."

Warren Buffet

WATCH FOR THESE ESTATE PLANNING "HOT SPOTS"

- **MARRIAGE/REARRIAGE**
Generally revokes a will
- **SEPARATION & DIVORCE**
Alters, but does not generally revoke a will
- **COMMON LAW SPOUSES & SAME-SEX PARTNERS**
Common law spouses and unmarried same-sex partners are not entitled to inherit from each other without a will, no matter how long they have been living together
- **BENEFICIARIES WITH SPECIAL NEEDS**
Consider a "Henson Trust" under which payments of income and capital will not interfere with entitlement to disability benefits
- **U.S. CONNECTIONS**
U.S. citizens, residents and owners of U.S. property need to plan for the impact of U.S. tax laws

TESTAMENTARY TRUSTS

A testamentary trust is an arrangement set up in a will to pay out estate assets and income over a period of time. A properly drafted testamentary trust can result in substantial annual tax savings.



ESTATE ADMINISTRATION

Estate Administration is the process of determining and distributing assets at death. Your choice of executor is key to successful estate administration. You may believe that naming a family friend or relative as your executor is bestowing an honour on them. In reality, doing so imposes a heavy responsibility.

Executors must often devote substantial time and effort to the task. They can face challenges from disappointed beneficiaries and be held personally liable for mistakes. When choosing an executor, consider his or her abilities and the complexity of your estate plan.

ESTATE MEDIATION

Estate disputes usually involve family members and are often emotionally charged. Disputes are often between persons who wish to have a continuing, amicable relationship in the future.

Estate mediation can bring potential estate litigants together with a view to working out a mutually satisfactory resolution. Mediators with a background in estate planning and administration can facilitate dealing with the issues.

The information contained herein relates to Ontario law and is of a general nature only. It is not intended to constitute legal or tax advice. The reader should specifically obtain legal advice with respect to his or her personal situation.