

# CBA PROCRASTINATOR'S SALE 2019



## Advising the Attorney Under the Power of Attorney (Jun. 11, 2019)

On the rare occasion when legal advice is sought regarding a Power of Attorney, it is usually sought by the grantor rather than the appointed attorney. This webinar, jointly hosted by the CBA Elder Law and Wills & Estates Sections, will focus on the attorney. It will explain how and why attorneys for property sometimes find themselves embroiled in lawsuits and will provide legal professionals with guidance as to how to coach and advise a substitute decision-maker.

Topics will include:

- When to involve the appointed attorney for property in initial discussions with the grantor
- Tools, tips and techniques used by drafting solicitors to inform, educate and protect attorneys for property
- Strategies for helping attorneys properly discharge their duties and avoid litigation.

## Presenters



**Angela Casey**  
Casey & Moss LLP  
(Toronto, Ontario)



**Deidre J Herbert**  
McLellan Herbert Barristers & Solicitors  
(Vancouver, British Columbia)



**John Poyser**  
Traditional Law  
(Winnipeg, Manitoba)



**Heather Mountford**  
TD Wealth  
(Toronto, Ontario)

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## **Avoiding Ambiguity in Corporate and Commercial Documents (Feb. 15, 2018)**

Corporate/commercial clients rely on their legal counsel for clear communication that is useful and encourages effective decision making. In order to build and maintain credibility in the eyes of your clients, you need to know how to identify and eliminate common sources of ambiguity in your legal drafting.

This webinar will set the stage for our program on [Drafting Effective Business Documents](#) by offering practical tips to improve the concision, clarity, and quality of your corporate/commercial documents.

Topics will include:

- Ambiguity vs. general terminology
- How courts interpret corporate/commercial documents
- Risks of interpretative disputes due to a lack of precision in drafting
- Drafting techniques to avoid ambiguity

*This is the 1<sup>st</sup> webinar of the [Drafting Effective Business Documents](#) program.*

## **Presenters**



**Geoff R. Hall**  
McCarthy Tétrault LLP  
Toronto



**Kerri Lui**  
McCarthy Tétrault LLP  
Toronto



# CBA PROCRASTINATOR'S SALE 2019



## **Divorce Act Amendments: Highlights to your Practice (Apr. 23, 2019)**

This webinar will offer an overview of one of the most extensive overhauls of the Divorce Act since its implementation in 1985. Participants will be provided with a summary of key changes and new approaches to family law in the wake of this major legislative amendment.

Areas to be covered include the new relocation provisions in the Act (along with a discussion of the impact of similar guidelines in British Columbia), parenting terminology and new factors which must be considered in the determination of best interests of the child and the treatment of family violence in the Act.

We will also cover provisions to make the family law justice system more accessible and efficient, including ways to address inadequate disclosure through changes to the Family Orders and Agreements Enforcement Assistance Act, new ISO processes for Divorce Act matters, and the long term goal to ratify the 2007 Hague Child Support Convention.

## **Presenters**



**Claire Farid, Senior Counsel**  
Justice Canada  
(Ottawa, Ontario)



**Rollie Thompson, Professor of Law**  
Dalhousie University  
(Halifax, Nova Scotia)



**Lawrence Pinsky, Partner**  
Taylor McCaffrey LLP  
(Winnipeg, Manitoba)



**Erin Brook**  
Brook Law  
(Nanaimo, B.C.)

# CBA PROCRASTINATOR'S SALE 2019



## Income for Tax Purposes: What Corporate Lawyers Need to Know (Mar. 6, 2018)

A lawyer's lack of knowledge about tax issues can have significant implications in the business law context. To avoid mistakes that can be costly for you and your clients, it is important to understand the difference between financial income and tax.

In this webinar, our knowledgeable speakers will explain how corporate lawyers can use tax returns to glean helpful information. Topics will include:

- How financial statements do not reflect the tax position of a company
  - Consolidated vs. entity basis
  - Cost of assets in financial statements vs. cost for tax purposes
  - Differences in timing
- Key concepts to consider including:
  - Accounts receivable
  - Capital gain
  - Depreciation and amortization
  - Stated capital vs. paid-up capital
- Retained earnings vs. safe income
- IFRS/ASPE and tax
  - Deferred tax liabilities
  - Deferred tax assets
- Valuation issues
- Use of corporate tax returns as a due diligence tool

*This is the 4<sup>th</sup> webinar of the [Interpreting Financial Statements](#) program.*

## Presenters



**Cathie Brayley**  
Clark Wilson LLP  
Vancouver



**Ron Dueck**  
Farris, Vaughan, Wills  
& Murphy LLP  
Vancouver

# CBA PROCRASTINATOR'S SALE 2019



## **Joint Ownership: Legal Developments and Best Practices (Oct. 11, 2018)**

Joint ownership is one of the most common ways for Canadians to hold title to their most valuable assets. At the same time, many joint owners don't appreciate the potential risks associated with making an asset jointly-owned. The administrative and tax benefits may be offset by such risks, and situations involving incapacity and undue influence can create a dynamic for the abuse of joint ownership.

Lawyers need to know when to use joint ownership to avoid probate, when it is best to have sole ownership, and the benefits, problems and alternatives to joint ownership.

This webinar will offer best ethical practices when advising on joint ownership and documenting intentions. You will learn about banking practices when clients change accounts to joint ownership, and new products that might address some of the problems when clients want assets to be joint.

Topics will include:

- Joint ownership to avoid probate - its benefits and the potential issues
- Clients with diminished capacity or unduly influenced and the misuse of joint ownership
- Ethical best practices on advising clients and recording their intent
- Banking practices and new products available in the joint ownership bank account

## **Presenters**



**Terry Moore**  
CIBC  
Toronto



**Shelley Waite**  
McLeod Law LLP  
Calgary



**Melanie Yach**  
Aird Berlis  
Toronto

# CBA PROCRASTINATOR'S SALE 2019



## When CRA and Your Real Estate Transaction Collide (Nov. 6, 2018)

Real estate transactions coast-to-coast regularly intersect with the Canada Revenue Agency (CRA). This webinar is designed as a practical defensive toolkit to assess issues where real estate lawyers and their clients risk running afoul of CRA in matters of superpriority liens, holdback, remittances, and general tax advice on HST and capital gains.

Topics will include:

- Superpriority liens
- Requirements to pay
- Section 116 of the Income Tax Act (non-resident holdbacks and clearance certificates)
- GST/HST issues in real estate transactions
- When a real estate capital gain becomes business income
- Residential

## Presenters



**Terry Barnett**  
Thorsteinssons LLP  
Vancouver



**Dean Blachford**  
Hazlo Professional  
Corporation  
Ottawa



**Alex Demner**  
Thorsteinssons LLP  
Vancouver



**Brett Horton**  
Stewart Title  
Vancouver



# CBA PROCRASTINATOR'S SALE 2019



## **Boost Your Productivity II: Working Effectively with Support Staff (Jan. 24, 2019)**

Effective delegation can help lawyers to maximize their productivity and get the most done each day, but many lawyers stand by the statement that “If I do it myself, it will get done right”. This approach is not sustainable in the long run and raises ethical concerns about charging lawyer rates for work that could be done by support staff.

Successful lawyers know that their productivity depends on leveraging the strengths of their full team of support staff.

This session will provide tips on how you can most effectively work with administrative assistants, law clerks and other staff (including students and junior lawyers). The topics are informed by a survey of support staff at various law firms.

### **Topics will include:**

- How to establish a daily planning and collaborative workshop relationship with your assistant
- How to address the most common delegating challenges
- Working as a team to prioritize and allocate work
- Building systems around focused work, deadlines, and organization
- Tales from the other side: what your support staff want you to know

### **Original Presenters**



**Ann Gomez**  
Clear Concepts Inc.  
Toronto



**Laura Williams**  
Williams HR Law  
Professional Corporation  
Markham

# CBA PROCRASTINATOR'S SALE 2019



## Drafting the Deal: The Purchase and Sale Agreement (Apr. 17, 2019)

A well drafted Purchase and Sale Agreement turns a corporate deal into an effective contract. This session will explain how to draft provisions to meet client needs and circumstances. Experienced speakers will use practical examples to provide guidance on the most challenging terms of a PSA.

Topics will include:

- Distinctions between share and asset deals and between private and public deals
- The purposes of representations and warranties
- Conditionality of the deal: closing conditions, termination rights and their effect on closing certainty
- Hot button issues in indemnification: baskets, caps, survival periods, sandbagging and scrapes
- The importance of the contractual “boilerplate”

## Presenters



**Pavan Jawanda**  
McCarthy Tétrault LLP  
(Vancouver, British Columbia)



**Ann Waterworth**  
Cassels Brock & Blackwell LLP  
(Toronto, Ontario)





# CBA PROCRASTINATOR'S SALE 2019



## **Financing the Deal: Secured Loan Transactions (Apr. 3, 2019)**

Business realities often dictate the appropriate financing structure for a deal. This session will examine the key business and legal considerations related to debt financing. Our expert speaker will explain the provisions of a loan agreement and the financing mechanics for a secured loan transaction.

Topics include:

- Key steps in getting to closing
- Structure of the loan agreement and loan covenants
- The role and types of security
- How to register security
- How to ensure that loan covenants have been satisfied
- How to ensure that the lender is in a position to fund

## **Presenters**



**Karen Gardiner**  
McInnes Cooper  
*(Halifax, Nova Scotia)*



**Keyvan Nassiry**  
Miller Thomson LLP  
*(Montreal, Quebec)*

# CBA PROCRASTINATOR'S SALE 2019



## Managing Deal Risk: Drafting Financial Terms (May 8, 2019)

Drafting financial terms in Purchase and Sale Agreements requires both an understanding of accounting concepts and common sense. This session will explore the financial provisions typically encountered in corporate deals and the issues surrounding those terms.

Topics will include:

- Accounting terminology in Purchase and Sale Agreements
- Purchase price determination and post-closing adjustments
- Escrow provisions
- Earn-outs and reverse earn-outs
- Financial representations and warranties

## Presenters



**Greg Hollingsworth**  
Lawson Lundell LLP  
(Vancouver, British Columbia)



**Robin Schwill**  
Davies Ward Phillips & Vineberg LLP  
(Toronto, Ontario)



# CBA PROCRASTINATOR'S SALE 2019



## **Time Management: Reclaim Your Time and Increase Your Productivity (Sep. 4, 2019)**

Proper time management is crucial to a thriving career and wellbeing, whereas overscheduling and improper time management can lead to mistakes, stress and negative health consequences. This session will examine how to recognize where your hours are going, identify what you wish to prioritize and give you practical steps to become more mindful of your time. You will walk away with tools to overcome overscheduling, task management, procrastination and learn to set proper boundaries to reclaim your time and increase your productivity.

Learning objectives:

- Understand the importance of time management as opposed to task management
- Learn how your brain functions when relaxed and under pressure
- Understand the difference between being busy and being productive
- Discover a new approach to time management for lawyers: the New Billable Hour™
- Develop practical time management habits

Here is a sneak peek of Ritu Goswamy's book [The New Billable Hour](#). Webinar participants will also receive the audiobook.

### **Presenters**



**Jill Farmer, Coach**  
Jill Farmer Coaching  
(St. Louis, Missouri)



**Ritu Goswamy, Lawyer & Author**  
Legal Productivity Solutions, LLC  
(Felton, California)

# CBA PROCRASTINATOR'S SALE 2019



## **What to Do if You've Made a Mistake: Damage Control, Professional Obligations, and Seeking Help (Nov. 8, 2017)**

Every lawyer makes a mistake at some point in their career. How you react and the choices you make following a mistake can have long-term repercussions for your professional reputation and your practice – as well as your personal life and your mental health.

Our speakers will consider mistakes large and small, and explore what lawyers should do, what influences the decisions they make, and what professional and personal supports are available to them when things go wrong.

This webinar will cover topics including:

- Acknowledging mistakes, seeking help, and gaining perspective
- Maintaining resiliency during challenging times
- When to report a claim to your professional liability insurer
- What to expect throughout the claims process

### **Presenters**



**Doron Gold**  
Homewood Health  
Toronto



**Dan Pinnington**  
LawPro  
Toronto



**Susan Sack**  
Rosen Sack LLP  
Toronto