EMMA J. FERGUSON

PARTNER

BIOGRAPHY

Emma Ferguson is a Partner and member of our Wills, Estates + Trusts and Family Law Practice Groups.

Emma has a broad wills, estates and trusts practice. She advises clients on all aspects of estate and incapacity planning, including wills, alter ego, joint partner and family trusts, powers of attorney and healthcare representation agreements. Emma has experience assisting clients with disabilities or their family members with planning to protect government disability benefits and advises clients on adult guardianship matters including applications to be appointed committee for an incapacitated family member. Emma also advises clients on the administration of estates, including applications for grants of probate and letters of administration.

A significant part of Emma's practice is focused on drafting and advising clients on marriage and cohabitation agreements. She is assisted in this regard by her previous family law litigation experience in a broad array of issues including division of property, spousal support, child support and parenting arrangements. Emma frequently advises clients on agreements involving complex financial and corporate structures, trusts and multiple jurisdictions.

Emma regularly presents on topics related to wills, estates and trusts and family law, and has a particular interest in the intersection of these two areas of law. She has presented for the Continuing Legal Education Society of British Columbia, the Pacific Business & Law Institute and to community groups and other organizations.

After completing law school, Emma acted as a judicial law clerk for six justices of the Supreme Court of British Columbia.

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EDUCATION

- Trust and Estate Practitioner Designation (TEP) The Society of Trust and Estate Practitioners
- 2005 LL.B. University of Victoria
- 2000 B.A. University of British Columbia

BAR ADMISSIONS

- 2007 Admitted to the British Columbia Bar

PRACTICE AREAS

BUSINESS

- Succession Planning

PERSONAL

- Wills, Estates + Trusts
- Family Law

Prior to joining Alexander Holburn, Emma practised in the areas of wills, estate and trusts, and family law, at an international law firm.

ON A PERSONAL NOTE

Emma resides on Vancouver Island but regularly commutes to the Vancouver office. Emma enjoys skiing and the outdoors with her husband and two children, and hikes with her very opinionated Australian shepherd pup, Bowie.

RECOGNITION

- 2020 – 2027 Best Lawyers® in Canada Trusts and Estates, and 2024 - 2027 Best Lawyers® in Canada Family Law
- Mondaq Spring 2026 Thought Leadership Award
- 2026 Leading Wealth, Estates & Succession Planning Lawyers – British Columbia: Recommended

PUBLICATIONS

- June 2020, "A Cautionary Tale of Consent: Widow Denied Use of Deceased Husband's Reproductive Material", Canadian Family Law Matters, *LexisNexis Canada,* Co-Author
- March 6, 2020, "Value of an Interest in Discretionary Trust", 15-Minute Topics, *CLEBC*, Speaker
- November 9, 2018, "Why Does Your Client Need a Will?", *Video Tax News, Tax Update 2018*, Speaker
- October 23, 2018, "The Expanding Definition of Will Under WESA", *Sunshine Coast Community Foundation Professional Advisors Workshop*, Speaker
- August 2018, "Special Feature: Create a Legacy", *BC Business*, Quoted
- June 27, 2018, "Canada's Divorce Act Set for its First Major Makeover in 20 Years", *BIV.com*, Co-author
- May 17, 2018, "The Expanding Definition of Will Under WESA", *Canadian Association of Gift Planners* and the *Canadian Bar Association, B.C. Branch,* Charities Section, Speaker
- May 8, 2018, "The World is Changing: Are You Asking Your Clients the

Right Questions?", *Canadian Bar Association, B.C. Branch*, Wills, Estates and Trusts Section and the *Estate Planning Council of Vancouver,* Speaker

- February 23, 2018, "The FLA vs. WESA: Which Road to Take?", Dysfunctional Families...Dead or Alive: An Essential Toolkit for Family & Estates Lawyers, *Trial Lawyers Association of BC*, Speaker
- November 28, 2017, "Discretionary Trusts from a Family Law and Estates Perspective", *Canadian Bar Association, B.C. Branch*, Wills, Estates and Trusts Section, Speaker
- March 3, 2017, "Trusts for Aging, Death and Divorce", Interplay Between Aging, Death and Divorce, *Continuing Legal Education Society of BC (CLEBC)*, Speaker
- October 6, 2016, "Transfers and Joint Property Ownership under the *Wills, Estates & Succession Act* and the *Family Law Act*", The Integration of Family Law and Estate Law, *Pacific Business & Law Institute*, Speaker
- April 20, 2016, "Incapacity Planning", *Autism Society of BC*, Speaker
- April 12, 2016, "Spousal Support in the Disability Context", Essential Tools for Disability Planning and Practice, *Pacific Business & Law Institute*, Speaker
- 2016 and 2008-2014, "Family Law Chapter", Annual Review of Law and Practice, *CLEBC*, Co-author
- March 16, 2016, "Estate Planning", *Autism Society of BC*, Speaker
- June 20, 2014, "Who is a Spouse under the *Family Law Act*?", The FLA for Estates Practitioners, *CLEBC*, Speaker

PROFESSIONAL & COMMUNITY AFFILIATIONS

- Law Society of British Columbia, Member
- Canadian Bar Association (Wills, Estates and Trusts subsection), Member
- Canadian Bar Association (Family Law subsection), Member
- Vancouver Bar Association, Member
- Society of Trust and Estate Practitioners, Member
- Estate Planning Council of Vancouver, Member
- Access Pro Bono Society of British Columbia (Wills & Estates Program), Volunteer

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ALEXANDER HOLBURN