MARY B. HAMILTON, K.C.

PARTNER

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BIOGRAPHY

Mary Hamilton, K.C. is a Partner in the firm's Wills, Estates + Trusts and Charities + Non-Profit Practice Groups. Mary has extensive experience in matters relating to wills, trusts and estate administration. She has held senior positions with various wills, estates and trusts groups in Vancouver and was named Vancouver Trusts and Estates "Lawyer of the Year" by *Best Lawyers*® in Canada in 2011, 2017, 2021 and 2024.

Mary has over 30 years of experience advising clients about their estate planning including the use of wills, alter ego and joint spousal trusts, discretionary family trusts, qualified disability trusts, charitable giving and other vehicles to transition wealth during life and on death. Her advice is sought by successful business owners concerned about ensuring an effective transition of their business from one generation to the next and by wealthy individuals concerned about benefiting their families (and others) in a fair and responsible manner.

Mary spends a significant part of her time advising executors, administrators and trustees about the probate process, administration of estates and trusts, and helping them pass their accounts.

She also advises about incapacity – preparing powers of attorney, nominations of committee and representation agreements and advising attorneys, committees and representatives about their roles and responsibilities. She also has a great deal of experience advising clients about providing for a relative or friend with a disability.

Mary lectures frequently to client groups, lawyers, the charitable sector, and to the public on topics pertaining to wills, estates, incapacity and charitable giving. She also shares her expertise with other lawyers in BC; regularly

EDUCATION

- 1986 LL.B. Dalhousie University

BAR ADMISSIONS

- 1987 Admitted to the British Columbia Bar

PRACTICE AREAS

BUSINESS

- Charities + Non Profit
- Succession Planning

PERSONAL

- Wills, Estates + Trusts

INDUSTRIES

- Charities + Non-Profit

updating her significant resource for wills lawyers in BC (an annotated guide about Wills and other personal planning documents) and co-editing BC practice manuals on both Estate Planning and Estate Administration.

Mary is a past member of several advisory committees creating and editing course material, booklets, or precedent documents for the *Continuing Legal Education Society* and the *Law Society of British Columbia*.

ON A PERSONAL NOTE

Mary and her husband, Kerry Sheppard, enjoy spending time at their cabin in Point Roberts with their black lab, Willow (although that joy suffered a significant hiatus during the pandemic). Mary is an avid reader, an enthusiastic quilter and proud mother of three children just launched from the nest.

RECOGNITION

- 2018 Appointed King's Counsel
- 2006 – 2025 Best Lawyers® in Canada Trusts and Estates Law and the 2011, 2017, 2021 and 2024 Best Lawyers® in Canada Trusts and Estates, Vancouver "Lawyer of the Year"
- 2010 – 2024 Canadian Legal Lexpert® Directory consistently recommended in the area of Estate and Personal Tax Planning Law
- 2003 – 2019 Martindale-Hubbell® Wills, Estates and Trusts and Charities & Not-for-Profit Organizations Distinguished® with high ethical standing
- 2017 YMCA Women of Distinction (Nominated) and 2016 Who's Who Legal Canada (Private Client)

REPRESENTATIVE EXPERIENCE

ESTATE PLANNING

- General estate planning advice regarding wills and alter ego and joint partner trusts often with complex trusts or other provisions for blended families, persons with disabilities, and charities.
- Family business succession involving estate freezes and corporate reorganizations often for very high-net-worth individuals.
- Estate administration including probate and other administration

applications.

- Contested estate matters acting for executors, trustees, beneficiaries or disgruntled family members.
- Incapacity planning involving powers of attorney, representation agreements for health and personal care and advance directives.
- Committee applications for family members of individuals who have lost capacity.

CHARITIES + NON-PROFIT

Mary also assists charities and not-for-profit organizations regarding endowment terms and planned giving programs – including enhancing programs to attract gifts from donors by their wills, trusts or other vehicles and advising about specific gifts that are being left to those organizations.

PUBLICATIONS

- February 2021, "Key Areas of Estate Planning That Often Get Overlooked", *Danielson Group Wealth Management*, Speaker
- October 16, 2020, "New Ways We Sign Wills," *Estate Planning Conference | Advocis Vancouver*, Conference Speaker
- May 27, 2020, Wendy McDonald Diversity Awards 2020, Women's Leadership Council, *Greater Vancouver Board of Trade,* Judge
- BC Estate Planning & Wealth Preservation, *CLEBC*, Co-editor
- BC Probate & Estate Administration Practice Manual, *CLEBC*, Co-editor
- 1997 – Present, Wills and Personal Planning Precedents: An Annotated Guide, *CLEBC,* Co-author
- April 26, 2019, "Trusts in the 21st Century: Surviving in a Sea of Change", *Continuing Legal Education Society of BC*, Speaker
- April 12, 2019, "Navigating Challenging Estates", *CAGP's 26th National Conference on Strategic Philanthropy*, Speaker
- March 22, 2019, Estate/Incapacity Planning Workshop, *The Notary Group*, with all Okanagan offices, Workshop Advisory Participant
- February 19, 2019, "Estate Planning", *L3 CEO Forum*, Co-presented with Will Todd
- January 2018, "Estate Planning Done Right: The Relationship of WESA and the FLA when Using Trusts in Estate Planning", *Pacific Business Law*

Institute, Speaker

- April 21, 2017, “Powers of Attorney – Danger Points”, Estate Planning Express – 15 Minute Topics, *CLEBC*, Speaker
- March 9, 2017, “Estate Planning for Clients Who Have a Disability and Their Families”, *Society of Trust and Estate Practitioners – Okanagan Chapter*, Speaker
- June 8, 2016, “Choosing Your Executor”, Caring for the Future, *Paul’s Hospital*, Speaker
- March 23, 2016, “Estate Planning”, *Autism Society of BC*, Speaker
- March 9, 2016, “Incapacity Planning”, B.C. Retired Principals’ & Vice-Principals’ Association, Speaker
- September 29, 2015, “Estate Planning”, *National Research Council*, Speaker
- June 16, 2015, “Will and Estate Planning: Legal Documents to Protect Your Child’s Future”, *Autism Society of BC*, Speaker
- June, 2015, “Disability Planning”, Trusts: Planning for Success, *Pacific Business & Law Institute*, Speaker
- May 14, 2015, “Estate Planning”, Peer Forum of local CEO’s of private businesses, Speaker
- February 25, 2015, 2016, 2017, “Plain Language Drafting”, *DLA Piper (Canada) LLP*, Speaker
- November 3, 2014, “Will and Estate Planning”, *BC Children’s Hospital*, Speaker
- October 23, 2014, “What is WESA and Why do I Care? Disability Trusts and Provincial Benefits”, *Advocis Greater Vancouver*, Speaker
- October 21, 2014, “Uniform Trustee Act”, *Senior Estates and Trusts Practitioners’ Forum*, Cambridge Ontario, Speaker
- June 10, 2014, “Will and Estate Planning”, *VanDusen Botanical Garden*, Speaker
- May 8, 2014, “Incapacity Planning: Health Care and Personal Care Decisions” (with Leanne Dospital PGT office and Dr. Peter Edmunds, Regional Medical Director Home, Community and Palliative Care, Vancouver Coastal Health), *Society of Trust and Estate Practitioners*, Speaker
- April 13, 2014, “New Wills Estates and Succession Act”, *Grant Thornton*, Speaker

- March 24, 2014, “WESA and the New Rules”, *Continuing Legal Education Society of BC*, Speaker
- March 6, 2014, “New Wills Estates and Succession Act”, *DLA Piper (Canada) LLP*, Speaker
- October 2, 2013, “Estate Planning for Professional Advisors”, *Thompson Rivers University*, Speaker

PROFESSIONAL & COMMUNITY AFFILIATIONS

- Law Society of British Columbia, Member
- Canadian Bar Association, Wills and Trusts Vancouver subsection, Member and Past Chair
- Vancouver Bar Association, Member
- Society of Trust and Estate Practitioners, Member
- The Continuing Legal Education Society of British Columbia, Author and Member of Editorial Advisory Boards for Ongoing Publications
- Cambridge Senior Estates and Trusts Practitioners’ Forum Steering Committee, Past Member
- Estate Planning Council of Vancouver, Past Executive Member
- The British Columbia Law Institute, Succession Law Reform Project Committee, Past Member
- Estate Administration Subcommittee, Succession Law Reform Project of the BC Law Institute, Past Chair
- Canadian Association of Gift Planners, Vancouver Roundtable, Member
- Vancouver Foundation, Development Committee Member, (2009 – 2015)
- Heart & Stroke Foundation of BC & Yukon, Volunteer, (2004 – 2014)
- School Planning Council of Eric Hamber Secondary School, Parent Representative Member, (2005 – 2014)