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ESTATE PLANNING PRECEDENT'S A SOLICITORS MANUAL

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Release No. 3, June 2025

"Estate Planning Precedents: A Solicitor's Manual" includes a wide variety of precedents covering all aspects of wills and estates. Also included are domestic contracts, trust deed documents, powers of attorney, appendices containing estate planning forms, checklists, and signing instructions, plus relevant legislation and IT Bulletins, Information Circulars and Advance Tax Rulings. This product is designed as a useful tool for everyday use by the busy estates practitioner.

What's New in this Update:

This release features updates to Appendix B—Estate Planning Issues, Appendix SLL—Selected Legal Literature and Appendix WPJ—Words and Phrases; and a new addition to Appendix C—New Developments.

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Highlights

- **APPENDIX WPJ—WORDS AND PHRASES—§ WPJ:245—PURCHASE MONEY RESULTING TRUST**—A purchase money trust is a type of gratuitous transfer resulting trust, which arises when a person advances funds to contribute to the purchase price of the property but does not take legal title to that property. (*May v. Alsousi et al.*, 2025 ONSC 795, 2025 CarswellOnt 2213 (Ont. S.C.J.) at para. 25 Flaherty J.)
- **APPENDIX C—NEW DEVELOPMENTS**—On January 9, 2025, the Ontario Superior Court of Justice released its decision on *Tessaro v. Gora*, 2025 ONSC 198, 2025 CarswellOnt 217 (Ont. S.C.J.), which clarified the statutory limitation period for cases involving professional negligence in drafting wills. This decision and its analysis are significant as it confirms that the ultimate limitation period for pursuing a professional negligence claim against a will-drafter is 15 years after the will was prepared.

ProView Developments

Your ProView edition of this product now has a new, modified layout:

- The opening page is now the title page of the book as you would see in the print work
- As with the print product, the front matter is in a different order than previously displayed
- The Table of Cases and Index are now in PDF with no searching and linking
- The Table of Contents now has internal links to every chapter and section of the book within ProView
- Images are generally greyscale and size is now adjustable
- Footnote text only appears in ProView-generated PDFs of entire sections and pages