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ESTATE LITIGATION

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Release No. 1, February 2026

Estate Litigation, 2nd Edition, is a comprehensive, practical work covering all facets of estate litigation including mental incompetency disputes, challenges to wills, *Family Law Act* claims, passing of executors' accounts, presumption of death and dependant support claims. The publication includes extensive precedents along with relevant statutory material.

What's New in this Update:

This release features updates to Appendix IF—Issues in Focus, Appendix PS—Procedural Summaries and Appendix WP—Words and Phrases.

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Highlights Include:

Words and Phrases

§ WP:207.50. Express Trust

British Columbia

- An express trust is a form of trust whereby the parties agree, usually in writing, an intention for the trustee to hold the settlor's property in trust for the benefit of the trustee or others.

(*Randhawa v. Khaira*, 2025 CarswellBC 882, 2025 BCSC 542 (B.C. S.C.) at para. 335 Sukstorf J.)

Saskatchewan

- An express trust is one which is created intentionally.

(*Boire v. Boire*, 2025 SKKB 150, 2025 CarswellSask 378 (Sask. K.B.) at para. 10 Davis J.)

Procedural Summaries

§ PS:1. Chapter 2, Contentious Proceedings

- Rules of Civil Procedure, R.R.O. 1990, Reg. 194, current to 72/25

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