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ESTATE LITIGATION

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Release No. 2, April 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 A—Legislation, Appendix IF—Issues in Focus and Appendix PS—Procedural Summaries.

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Highlights Include:

Appendix IF. Issues in Focus

- § IF:4. What is the role of the Public Guardian and Trustee (“PGT”) in circumstances pertaining to the determination of one’s mental capacity, and by extension their susceptibility to harm due to undue influence, misconduct, neglect, etc., pursuant to the *Substitute Decisions Act, 1992* (“SDA, 1992”)?
- § IF:23. In view of the recent decision of *Leibel v. Leibel*, is it the law in Ontario that unless a challenge to the validity of a will is advanced within 2 years of the date of death, the challenge will be statute-barred?
- § IF:25. What are some immediate considerations for lawyers upon the death or incapacitation of their client?

Procedural Summaries

- § PS:4. Chapter 5, Passing of Accounts
 - Rules of Civil Procedure, R.R.O. 1990, Reg. 194, current to 72/25
- § PS:8. Chapter 12, Application for Direction of the Court
 - Rules of Civil Procedure, R.R.O. 1990, Reg. 194, current to 384/24

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