



Estate Planning Workshop

March 17th & 18th, 2015

Saskatoon Inn, Manitoba Room, Saskatoon, SK

March 17th (Day 1)

- 8:00 to 8:45 Continental Breakfast/Networking
- 8:45 to 9:00 Welcome Chris Sicotte AFOA Saskatchewan Vice President
- 9:00 to 10:30 **The Law of Wills and Estates:** What is a Will? Types of Wills: Holograph, Formal Will, Codicil; What is an Executor/trix? Letters of Administration? Probate? Statement of Inventory? Notice to Creditors? When a person passes away Intestate (without a Will); Jurisdictional Issues for On Reserve and Off Reserve people, Reserve Land & Matrimonial Property; Legislation that Applies to Wills: *The Indian Act, The Indian Estate Regulations, The Intestate Relief Act, Dependants Relief Act* etc; Bill C-248; The Elements of a Will; What Makes a will Invalid (Capacity, Undue Influence); How to contest a will; What is a Health Directive(to take off life support etc); What is a Power of Attorney? Pension Plans & Insurance Beneficiaries. **Speaker; Leah M.Bitternose J.D., LL.M. Barrister & Solicitor, Bitternose Law Office**
- 10:30 to 10:45 Health Break
- 10:45 to 12:00 **The Law of Wills and Estates.** (Continued) **Leah Bitternose, J.D., LL.M. Barrister & Solicitor, Bitternose Law Office**
- 12:00 to 1:00 Luncheon Speaker: Eugene Arcand **Traditional Point of View on Wills and Family Unit**
- 1:00 to 2:30 **AANDC What Happens when there is no will? Speaker: Anilise Otten, AANDC**
- 2:30 to 2:45 Health Break
- 2:45 to 3:30 **Banker's Perspective on Wills & Estates** – How do the banks define the estate distribution? What determines who is eligible for the assets in the bank? **Speaker: Kelly Bitternose, Peace Hills Trust**
- 3:30 Day One Closing remarks - Chris Sicotte, AFOA Saskatchewan Vice President

March 18th (Day 2)

- 8:00 to 9:00 Continental Breakfast/Networking
- 9:00 to 10:30 **Family Homes on Reserves and Matrimonial Interests or Rights Act (the Act)** came into force on December 16, 2013 by Order in Council. The Act provides basic rights and protections to individuals on reserves during the relationship, in the event of a relationship breakdown, and on the death of a spouse or common-law partner regarding the family home and other matrimonial interests or rights. The legislation sets out provisions for the enactment of First Nation laws respecting on-reserve matrimonial real property, as well as provisional federal rules to fill the legislative gap which are now in force as of December 16, 2014 **Speaker: Kathy McCue, Administration and Communication Coordinator, Centre of Excellence for Matrimonial Real Property**
- 10:30 to 10:45 Health Break
- 10:45 to 12:00 **Family Homes on Reserves and Matrimonial Interests or Rights - Act Estates Considerations.** The Provisional Federal Rules provide rights and protections for surviving spouses or common-law partners whether or not they are an Indian or a First Nation member. The rules ensure that when a spouse or common-law

partner dies, the surviving spouse or common-law partner may remain in the home for a specified period of time. The survivor could also choose to apply under the federal rules for half of the value of the matrimonial real property interests or rights as an alternative to inheriting from the estate of the deceased. **Speaker: Kathy McCue, Administration and Communication Coordinator, Centre of Excellence for Matrimonial Real Property**

12:00 to 1:00 Lunch

1:00 to 2:15 **Family Homes on Reserves and Matrimonial Interests or Rights Act.** Sgt. Kurt Kamotzki is a senior policy and program analyst with the RCMP National Aboriginal Policing services in Ottawa. Sgt. Kamotzki will be speaking to the enforcement of the Act and it's impact on First Nations **Speaker: Kurt Kamotzki Sgt. Senior Policy and Program Analyst National Aboriginal Policing Services, RCMP**

2:15 to 3:15 **First Nations Oil & Gas Moneys Management Act (FNOG MMA)** – First Nations Oil & Gas Moneys Management Act is an opt-in legislation to provide First Nations to take control of its management of trust funds currently held in departmental capital and revenue trust accounts – **Speaker: Vi Kayseass, Manager, Service Delivery, SK Region, AANDC**

3:15 Closing Remarks Chris Sicotte, Vice President AFOA Saskatchewan