


Marni Whitaker, Partner

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Education

- Bachelor of Arts - University College, University of Manitoba
- LL.B. Osgoode Hall Law School
- Called to the Ontario Bar with Honours in 1975

Areas of Practice

Personal legal services including estate planning and administration, drafting and giving opinions on wills, powers of attorney, trusts, corporate reorganizations associated with estate planning, personal income tax advice, administration of estates, and establishing, organizing and carrying out ongoing work for charitable and non-profit corporations

Professional Activities

Former Bar Admission Course seminar instructor, former Chair of the Ontario Bar Association Charity and Not-for-Profit Law section

Publications & Public Speaking

- “Succession Duties - A Once and Future Tax?”, a paper and speech for the Canadian Institute Programme entitled “Estate Planning, The Essential Update”, May, 1991
- “Wills and Estates – Planning and Administration” – one of two course leaders at an all-day programme for The Canadian Institute held in July, 1991 and repeated in August, 1991
- “Hotchpot Clauses”, an article published in the Estates and Trusts Journal, September, 1992
- “Avoiding Probate Fees and Revocable Trusts”, a speech for the Estate Planning Council of Toronto, April, 1993
- “Unwed Cohabiting Partners in Canada”, a speech and paper for the Family Law Committee of the International Bar Association, Section on General Practice, Melbourne, Australia, October, 1994
- “Worthy of Their Hire? Remuneration of

Profile

Marni Whitaker has been practicing law since 1975 and has focused her career on estate planning and administration, and charity and not-for-profit law. Listed in The Best Lawyers in Canada in 2011, 2012, 2013 and 2014 in Trusts and Estates Law, Marni is a recognized leader in her field.

Marni provides personal legal counsel in all matters pertaining to estate planning and administration, including wills, powers of attorney and trust agreements. Her practice also includes more complex arrangements involving private company reorganizations and personal tax planning. Marni is often called upon by colleagues to provide counsel on unique and complex situations. As a respected expert in her field, Marni has authored numerous legal publications, including two chapters of Widdifield on Executors and Trustees. Marni has also been the Editor-in-chief of the Estates Trusts & Pensions Journal since 2005.

Marni has a sincere and considerate approach that is a result of a lifelong commitment to supporting her clients and her community. Marni started her career in a Toronto legal clinic and continues today to provide legal services for charitable and not-for-profit organizations. She serves as a director and President of two registered charities. In 2003, Marni was awarded the AMS/John Hodgson Award in recognition of her leadership, development of the law, and service in the charitable area by the Charity and Not-for-Profit Law section of the Ontario Bar Association.

Directors”, a paper and speech for a programme of the Law Society of Upper Canada entitled “Fit to be Tithed - Risks and Rewards for Charities and Churches”, November, 1994

- Case comment on William George King Trust (Re), published in Estates & Trusts Journal, Vol. 14, No. 2, December, 1994
- “Trustee Compensation, Liabilities and Defences”, panelist, programme of The Law Society of Upper Canada entitled Using Trusts Effectively, June, 1995
- Chair, “Without a View to Profit: Non-Profits and Charities”, programme for the Canadian Bar Association – Ontario, November, 1995
- “Capable and Incapable Clients - Strategies for Assessment”, a paper and speech for a joint session of Committees 2 and 5, International Bar Association, Berlin, Germany, October, 1996
- “Powers of Attorney for Personal Care, Advance Health Care Directives, and Mental Health Act Applications”, a paper and speech for a joint session of Committees 2 and 5, International Bar Association, Berlin, Germany, October, 1996
- “Maintaining Your Charitable Status”, a speech for the Ontario Hospital Association, March, 1997
- “Hospital Mergers and Amalgamations - Impact on Hospital Foundations”, a speech for the Ontario Hospital Association Annual Convention, November, 1997
- “The Effect of Health Care Restructuring on Hospital Foundations in Ontario”, lead author of article published in The Philanthropist, Volume 14, No. 2, November, 1997
- “The Woodward Family Holdings – The Canadian Perspective”, a paper and speech dealing with international estate planning issues for the International Bar Association Section on Legal Practice Conference, Boston, Mass., June, 1999
- “Payments from Children’s Trusts”, a paper and speech for the Law Society of Upper Canada programme entitled A Practitioner’s Guide to Using Trusts Effectively in September, 1999, to be published in the Estates and Trusts Journal, in 2000
- “Drafting Payment Terms In Children’s Trusts”, a paper and speech for the Law Society of Upper Canada for a programme entitled 2nd Annual Estates and Trusts Forum, November, 1999
- “Dealing With Conflict Of Interest When Drafting Wills For Couples”, a paper and speech for the Law Society of Upper Canada programme entitled The Six-Minute Estates Lawyer in June, 2000

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| <ul style="list-style-type: none">• Member of planning committee and speaker at two-day Osgoode Hall Law School professional development programme on charities law held in March, 2001• “Will Planning and Drafting”, paper and speech for five-day Osgoode Hall Law School professional development programme on estate planning and administration held in October, 2000• Author of two chapters of Widdifield on Executors and Trustee, 6th edition (published 2002 and updated regularly)• Member of planning committee and speaker at one-day Osgoode Hall Law School professional development programme on charities law entitled "The Essential Curriculum in Charities" held on January 15, 2004• ☒ Drafting “Airtight Trusts” - Avoiding ‘Other’ Traps, paper and speech for programme at the Law Society of Upper Canada, Seventh Annual Estates and Trusts Law Summit, December 1, 2004 | |
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