



Amy Mortimore

Partner

Estates & Trusts

604 643 3177

amortimore@cwilson.com

Profile

Amy's strong legal skills are balanced with her empathetic but practical approach to what are oftentimes highly emotionally charged files. She excels at identifying opportunities and obtaining results for our clients.

Amy's clients include:

- > Executors & Trustees
- > Beneficiaries
- > Trust companies
- > Non-profit organizations and charities
- > Committees

Services

- > Wills variation claims
- > Passing of Executor and Trustee accounts
- > Undue influence and incapacity claims
- > Committeeship applications
- > Unjust enrichment claims

- > Construction of wills applications
- > Applications to have a document declared a Will
- > Abuse of Powers of Attorney claims
- > Breach of trust claims

Amy strongly believes in contributing to BC's legal and professional community. In particular, she has lectured extensively to other lawyers, law students, accountants, gift planners, notaries, trust officers and the public for many years.

She was instrumental in creating and organizing three Charities Forum events, which were highly successful conferences that brought together industry practitioners for the sole purpose of providing professional education to gift planners and others involved in charities and not for profits.

She has also been on the host committee for the annual national conference for both the Canadian Bar Association and the Canadian Association of Gift Planners.

Amy is a contributing author to two leading resources for estate and trust law, in addition to writing for various other publications. She was also recently appointed to the Board of Directors of the Continuing Legal Education Society of British Columbia.

Credentials

Awards & Distinctions

- > Best Lawyers in Canada, Trusts and Estates, 2017-2019

Industry Involvement

- > National Academy of Elder Law Attorneys, since 2005
- > Trial Lawyers Association (Estate Litigation), since 2008
- > Canadian Association of Gift Planners, since 2010
- > Women's Executive Network
- > Canadian Bar Association (Charities and Not for Profit Law; Elder Law; Wills and Trusts)
- > Director, The Continuing Legal Education Society of British Columbia, 2016-present
- > Canadian Association of Gift Planners 2014 Annual Conference Host Committee
- > Charities Forum Planning Committee, 2012, 2013, 2015
- > Canadian Bar Association (BC) Court Services Committee, 2001 - 2006
- > Planning Committee Canadian Bar Association (BC) Annual Legal Conference & Expo, 2005
- > The Continuing Legal Education Society of British Columbia Civil Litigation Practice Advisory Committee, 2000 - 2002
- > Executive Member, Young Lawyer Section of the Canadian Bar Association (BC), 1998 - 2003
- > Canadian Bar Association (BC) Task Force considering the Entrance Examination for the Professional Legal Training course, 2000

Memberships & Associations

- > Law Society of British Columbia

- > National Academy of Elder Law Attorneys
- > Trial Lawyers Association, Estate Litigation Section
- > Canadian Association of Gift Planners
- > Women's Executive Network
- > Canadian Bar Association (Charities and Not for Profit Law; Elder Law; Wills and Trusts)

Committee Work

- > Director, The Continuing Legal Education Society of British Columbia (2016 - present)
- > Planning Committee, Women Lawyers' Retreat, TLABC (2017 - present)
- > Planning Committee, Charities Forum (Clark Wilson LLP and The Vancouver Foundation) (2013 & 2015)
- > Canadian Association of Gift Planners 2014 Annual Conference Host Committee (2014)
- > Planning Committee, Charities Forum (Clark Wilson LLP and The VanCity Foundation, (2012)
- > Planning Committee, Charities Forum (Clark Wilson LLP and The VanCity Foundation, (2012)
- > Planning Committee BCCBA Annual Legal Conference & Expo (2005)
- > Continuing Legal Education Civil Litigation Practice Advisory Committee (2000 - 2002)
- > Executive Member, Young Lawyer Section of the BCCBA (1998 - 2003)
- > BCCBA Task Force considering the Entrance Examination for the Professional Legal Training course (2000)

Education & Call to Bar

- > Call to Bar: British Columbia, 1998
- > Bachelor of Laws, University of Victoria, 1997
- > Bachelor of Arts, French major, The University of British Columbia, 1993

External Publications & Presentations

- > Contributing author, British Columbia Probate and Estate Administration: Chapter 4 Devolution of Assets on Death, Continuing Legal Education Practice Manual
- > Contributing author, British Columbia Estate Planning and Wealth Preservation: Chapter 6 Asset Protection, Continuing Legal Education Practice Manual
- > Co-author, Wills Variation Act and Fraudulent Conveyances, 2011
- > The Wills Variation Act: How It Can Impact You and Your Will, April 2011
- > Wills Variation Act Planning, 2011
- > Even the best-laid plans can go awry, Vancouver Sun, April 26, 2011
- > A Gift that Lasts, Your Estate Matters, February 2011. (Republished Quickscribe Reporter, February 2011)
- > Estate Planning: A Litigator's Perspective, January 27, 2011
- > Retention of Estate Planning Files, 2003
- > Testamentary Capacity Issues, 2003
- > Co-Chair, Essentials in Estate Litigation full day seminar, Trial Lawyers Association of British Columbia ("TLABC"), April 2017
- > How Binding is that Marriage Agreement?, Estate Planning Express seminar, The Continuing Legal Education Society of British Columbia ("CLE"), April 2017

- > Interlocutory Manoeuvres in Estate Litigation, Under Pressure: Interim Tactics that Apply Pressure in Commercial Litigation seminar, TLABC, November 2016
- > Wills Variation in the Modern Age, Estate Litigation Update 2016 seminar, CLE, October 2016
- > Senior Practitioners Viewpoint: Fact Pattern Analysis, Trial Lawyers Association of BC, May 2016
- > How to prepare your solicitor's file to withstand litigation, Canadian Bar Association, Wills & Trusts Section, April 2016
- > Committeeships, Webinar, Trial Lawyers Association of BC, November 2015
- > Napkins & Notes: Section 58 of WESA (dispensing provision), Most Litigated Estate Issues, Pacific Business & Law Institute, September 2015.
- > A Potpourri of Practical Strategies (Spousal Home Provisions, Distribution Without Representation Grant, and Personal Representatives), WESA One Year (and a few months) Later, Presenter, Continuing Legal Education, June 2015
- > WESA - One Year Later (dispensing provision, notices of dispute, and interim administrators), Presenter, Society of Trust and Estate Planners (STEP Canada), April 2015
- > What stakeholder expectations require managing for a charity as a beneficiary of an estate, Panel Moderator, Clark Wilson LLP and Vancouver Foundation Charities Forum, February 2015
- > Section 58 WESA Case Comment, Presenter, Estate Planning Council of Vancouver, , February 2015
- > Where There's No Will, There May be a Way, Trial Lawyers Association of British Columbia WESA Seminar, June 2014
- > Changes for Charities and Gift Planning under BC Estate Law: What charities need to know about the Wills, Estates and Succession Act, 21st Annual Canadian Association of Gift Planners (CAGP-ACPD) National Conference, April 2014
- > Update on the New Wills, Estates and Succession Act, Fraser Valley Estate Planning Council, January 2014
- > Unjust Enrichment: Fairness and the Law, Estate Litigation Seminar, Trial Lawyers Association, April 2013
- > The Wills Variation Act, Guest Lecturer at Capilano University Legal Studies Degree Program, March 2013
- > The Charity's Relationship with a Donor: A Lawyer's Perspective (addressing undue influence & testamentary capacity), Charities Forum, March 2013
- > Solicitor Client Privilege in the Estate Context, Estate Litigation Basics Seminar, Continuing Legal Education, November 2012
- > Demystifying Estate Accountings, Charities Forum, February 2012
- > Estate Planning: A Litigator's Perspective, Pacific Business & Law Institute Seminar, January 2011
- > Wills Variation Act Primer, Estate Litigation Basics Seminar, Continuing Legal Education, October 2010
- > Constructive and Resulting Trusts, Continuing Legal Education, November 2008
- > Estate Dispute Resolution Seminar, June 22, 2005
- > Estate Litigation, sponsored jointly by the Law Courts Education Society and the Jewish

Community Centre, June 2004

- > Safely Navigating Estate Litigation, 10th Annual National Conference of the Canadian Association of Gift Planners, May 2003
- > Risk Management for Builders Liens, Construction Law Bulletin, April 2012
- > Lien Times for Lenders: Plan with Care, Construction Law Bulletin, November 23, 2009
- > Court Of Appeal Confirms No Requirement To Post Security For Costs, Construction Law Bulletin, September 30, 2009
- > Builders Liens and Security for Costs, Construction Law Bulletin, April 2009
- > Builders Lien Act Update, Construction Law Bulletin, January 20, 2009
- > Changes in the Contract Work - CCDC 2's General Condition 6, Construction Law Bulletin, October 2006
- > How do the Trust Provisions of the Builders Lien Act Affect Lenders?, Financing \$tatements, Winter 2004/05
- > Continuing Responsibility of Owner in Builders Lien Action, Construction Law Bulletin, November 2004
- > Special BLA Considerations for Subcontractors Supplying Materials, Construction Law Bulletin, April 2004
- > Construction Bonds, Buildex Vancouver, February 2011
- > Payments & Trusts Under the Builders Lien Act, Construction Law Primers, October 2010
- > Overview of the CCDC2, RCI Western Canada Chapter, June 2010
- > Builders Liens: A Focus on Payment Issues, Clark Wilson Seminar, May 2009
- > Builders Lien Act - Issues Arising on Insolvency, Buildex Vancouver, February 2009
- > CCDC 2 2008, Clark Wilson Seminar, January 2009
- > Meltdown on Site, Clark Wilson Seminar, January 2006
- > Builders Lien Act: A Focus on Payment Issues, Clark Wilson Seminar, June 2005
- > Builders Lien Act Update, Buildex Vancouver, February 2005
- > Builders Lien Act - Risk Factors for Property Managers, Professional Association of Managing Agents ("PAMA") Annual Seminar, October 2004
- > An Overview of the British Columbia Builders Lien Act, Lorman Education Services, May 2003
- > Builders Liens, Dye & Durham, November 2002