# PHILIP J. RENAUD QC
## Duncan Craig LLP

**Education:** Bachelor of Arts, University of Alberta, 1977
Bachelor of Laws, University of Alberta, 1980

**Law Firm:** Partner, Duncan Craig LLP, Lawyers and Mediators
Edmonton, Alberta, Canada, Established 1894
Articled at Duncan & Craig LLP and a member of the firm since 1980

## Recognitions:

**Queen's Counsel**
- Appointed Queen's Counsel 2004

**Martindale-Hubbell**
- Peer review rated for ethical standards and legal ability: AV (Preeminent), since 1995

**Canadian Legal Lexpert Directory**
- Leading Practitioner, Estate and Tax Planning

**Best Lawyers**
- Listed as one of Canada's Best Lawyers, Trusts and Estates (bestlawyers.com) and was named Lawyer of the Year, Trusts and Estates, Edmonton in 2010

**Canadian Legal Lexpert Directory**
- Listed as a Leading Practitioner in the area of Estate and Tax Planning in the Canadian Legal Lexpert Directory

## Memberships:

**Canadian Bar Association**:
- Chair, National Wills, Estates & Trusts Section, 2003-2005, Past Chair 2005 - 2006
- Member and Former Chair of Wills, Estates & Trusts Section (North Alberta)
- Member, Taxation Section
- Member, Elder Law Section

**American College of Trust and Estate Counsel**:
- Fellow since 1995

  (The College is an association of recognized lawyers in Canada, the United States and several foreign countries in the fields of estate and trust planning, administration, related taxation, business succession, insurance planning, employee benefits and fiduciary litigation.)

- State Chair, Western Canada; 2013 to 2015

**Society of Trust and Estate Practitioners (STEP)**:

- Full Member since 1999;
- Director STEP Edmonton 2001/2002; Director STEP Edmonton, 2007 - 2011
  (Members of the Society are professionals involved in trusts and estate practice in the United Kingdom and worldwide.)
- Member, National Steering Committee on Trust Law Reform, 2008 – 2009
- Member, STEP Canada - Trust & Estate Technical Committee, 2012 – current

**Estate Planning Council of Edmonton**:

- Member; *President 1995; Director 1991 to 1996*
  (An association of lawyers, accountants, trust officers & life insurance underwriters who concentrate in estate planning.)

**Senior Estates & Trusts Practitioners' Forum**

- Langdon Hall, Cambridge, Ontario, October 2005 - current
  - (A gathering of Canada's 40 leading estates and trusts practitioners to facilitate a high-level exchange of ideas and in-depth dialogue on issues vital to estates and trusts.)

**CAFE Edmonton** (Canadian Association of Family Enterprise)

  - (CAFE is a national, non-profit organization of business people and related professionals who assist families in the succession of their family business.)
- Director, 1996 to 2001; Program Director 1997 to 2000; Advocacy Director, 2001
- CAFE Trained Family Council Facilitator

**ADR Institute of Alberta (ADRIA)**

- Member and Trained Mediator

**Collaborative Estate and Trust Lawyers Society of Alberta (CETL)**

- Member and trained collaborative lawyer

**Canadian Tax Foundation**, Member

# Mediator:

- Successfully completed the Mediating Disputes course at the **Program on Negotiation at Harvard Law School Executive Education** from June 1 to 5, 2015. The Program on Negotiation at Harvard Law School is a university consortium of Harvard, MIT and Tufts dedicated to developing the theory and practice of negotiation and conflict management.

- Phil has acted as a mediator and as counsel in estate meditations since the 1990's having completed Levels I and II of mediation training with the Alberta Arbitration and Mediation Society (now the **ADR Institute of Alberta**).
- Phil is also a trained collaborative lawyer and member of the **Collaborative Estate and Trust Lawyers Society of Alberta** (CETL).

# Lecturer:

**University of Alberta, Law School**

- Sessional Lecturer, Wills, 1990 to 1997.

**Law Society of Alberta**

- Instructor, Bar Admission Courses, Wills & Estates, 1986 to 1996.

**Legal Education Society of Alberta**

- Lake Louise Wills & Estates Refresher, Chair, Tax Panel, April 19-21, 2015

- "New Estate Administration Issues arising out of the *Wills and Succession* Act", Advanced Estate Administration, Edmonton May 23, 2013 and May 13, 2014, Calgary May 28, 2013 and May 14, 2014

- "Issues Concerning Assets that Purportedly Pass Outside the Estate", Advanced Estate Administration, Edmonton March 9, 2010, Calgary March 16, 2010

- "The Family Business in the Context of the Overall Estate Plan", Family Business Succession, Edmonton, February 14, 2008

- "Protectors in Domestic Trusts", 40th Annual LESA Refresher Course, Wills, Estates and Elder Law, Lake Louise, Alberta, May 2007

- "The Sophisticated Estate", Edmonton, Four sessions in November 2006

- "Protecting Assets", Calgary and Edmonton, April 2005

- "Estate Planning and Administration with the *Adult Interdependent Relationships Act*" Calgary and Edmonton, March 2003

- "The Alberta Prudent Investor Rule", Banff Wills and Estates Refresher Course, Wills, Estates & Elder Law, April 2002

- "Variation of Trusts in Alberta", Edmonton, Calgary, November 2000

- "The Will; Rising From the Ashes Like a Phoenix", Edmonton, Calgary, March 1999

- Chair, “Personal Directives”, Edmonton, Calgary, October 1997

- “Estate Mediation and Other Alternatives to Traditional Litigation”, Banff Wills and Estates Refresher Course, panelist, 1996

- “Enduring Powers of Attorney”, Edmonton, Calgary, Red Deer, Lethbridge, Grande Prairie, 1991

- Banff Wills and Estates Refresher Course, Co-Chair, “Will Drafting”, 1990

**Alberta Business Family Institute**

- Family Business Facilitators Course, Nisku, Alberta, January 14, 2010

- “Planning for the Exceptional Needs Child”, Edmonton, October 20, 2009

- “Managing Shared Assets: Lessons from the Family Cabin”, Edmonton, September 26, 2007, Calgary, October 8, 2008

**Senior Estates and Trusts Practitioners’ Forum**

- “Estate Planning for the Second Marriage”, Panellist, Langdon Hall, Cambridge, Ontario, October 21, 2013
- “Expanding Frontiers in Trust Investment”, Panellist, Langdon Hall, Cambridge, Ontario, October 22, 2007

**Provence Conference, Cidel Trust**

- “Protectors in Domestic Trusts”, Provence Conference 2008, Seillans, Provence, France, September, 2008

**National Judicial Institute**

- “Protectors in Domestic Trusts”, Court of Queen’s Bench of Alberta Education Seminar, November 16, 2007

**Aboriginal Trust & Investment Management Workshop**

- “The Road Ahead – What are the Trends Affecting Aboriginal Trusts?”, Panellist, Edmonton, Alberta, May 2009

**Alberta Agriculture, Farm Business Management Branch**

- Agriculture Tax Update for Professionals 2011, Grande Prairie, Edmonton, Red Deer, Calgary, October/November, 2011; “Farm Estate Planning in the New Frontier: The *Wills and Succession Act* and Amendments to the *Matrimonial Property Act*"

- Agriculture Tax Update for Professionals 2001, Grande Prairie, Edmonton, Red Deer, Lloydminster, Calgary, Lethbridge, Medicine Hat, October 2001

- Agriculture Tax Update for Professionals 1996, Lethbridge, Calgary, Lloydminster, Grande Prairie, Edmonton, Red Deer, October 1996

- Between Generations, seminar for farm estate planning professionals, Edmonton, Red Deer and Calgary May 31, June 1 and 2, 1999

- Between Generations, seminar for farm estate planning professionals, Edmonton and Calgary, May, 1997

**Canadian Association of Financial Planners**

- "The Prudent Investor Rule in Practice", National Conference, Edmonton, May 2002

- "Estate Planning With Assets in a Foreign Jurisdiction", Fall 1993

- "Legal Aspects of Estate Planning in Transition", Banff 1994; Trails to Change Conference

**Canadian Bar Association**

- "The Uniform Trustee Act", CBA Wills, Estates and Trusts Section, Northern Alberta, September 10, 2013; Southern Alberta, October 8, 2013

- "The Marriage Between Family Law and Estates; Insurance Trusts as Security for Child and Spousal Support", CBA Family Law Section, Edmonton, November 5, 2009

- "Non-Tax Issues Pertaining to the Use of Trusts", CBA Taxation Section, Edmonton, March 2008

- "Testamentary Trusts for Minors in Light of Changes to the Public Trustee Act", CBA Wills, Estates and Trusts Section, Calgary, February 2008, Edmonton, March 2008

- "Registered Retirement Savings Plans; Tax Consequences On Death", Mid-Winter Meeting, Wills and Trusts Panel, 1999

- "Murder, Family Strife and Family Relief", Wills and Trusts Section, 1994

**Society of Trust and Estate Practitioners (STEP)**

- "The Uniform Trustee Act", STEP Edmonton, October 17, 2013

- "Percentage Trusts" and "Protectors in Domestic Trusts", STEP Calgary, March 16, 2010

- "Percentage Trusts", Edmonton, Alberta, February 2009

- “Protectors in Domestic Trusts”, STEP Winnipeg, Winnipeg, Manitoba, January 15, 2008

- “The Prudent Investor Rule in Practice”, Edmonton November 2002, Calgary, January 2003

- “The Prudent Investor Rule”, Red Deer, October 2001

**Estate Planning Council of Edmonton:**

- “Segregated Funds”, March, 1999

- “Personal Directives”, January 1998

- “Impact of the G.S.T. on Estates and Trusts”, Spring 1991

- “Ethics and Estate Planning”, Fall 1989

**Estate and Financial Planning Institute**

- “Probate Avoidance; Planning is the Key”, Grande Prairie, June, 1999

**Canadian Association of Family Enterprise (CAFE)**

- “Family Trusts; A (Mostly) Non-Tax Approach”, CAFE Edmonton, March 2007

- “Canada’s Estate Tax; Avoiding Probate Fees”, National Symposium, Edmonton, May 2000

- “The Family Business Enduring Power of Attorney”, CAFE Edmonton, April, 2000

## Publications:

**Member of the editorial panel** for a textbook for lawyers and accountants entitled “Taxation of *Trusts and Estates; A Practitioners Guide*, 2005 - 2011” by Larry Frostiak, John Poyser and Grace Chow, published by Carswell Canada

**University of Alberta, Faculty of Law:**

- Wills Casebook, Co-Revising Editor, 1992 Revision

**Estates, Trusts & Pensions Journal**

- “Protectors in Domestic Trusts”, Vol. 27, 2008, p.241
- “Segregated Funds”, Vol. 25, 2006, p.270
- “Alberta’s Prudent Investor Rule”, Vol. 22, 2003, p. 309.

**Society of Trust and Estate Practitioners (STEP)**

- "STEP Inside Case Study; Planning for Incapacity", Co-author, STEP Inside, January 2010

**Aboriginal Trust & Investment Management Workshop**

- "Issues in the Management of First Nations Trusts", Edmonton, Alberta, May, 2009
- "First Nation Trusts and the Prudent Investor Rule", Banff, Alberta, April 2006

**Canadian Tax Foundation**

- Prairie Provinces Tax Conference, "Registered Retirement Savings Plans; Tax Consequences on Death", June 1998

**Environmental Law Centre**

- *A Legacy of Land: Conservation Easements and Land Stewardship*, "Wills And Estate Planning Issues Surrounding Conservation Easements", June 1999, Edited by Arlene J. Kwasniak and Donna Tingley

**Legal Education Society of Alberta:**

- "Protectors in Domestic Trusts", 40$^{th}$ Annual LESA Refresher Course, Wills, Estates and Elder Law, Lake Louise, Alberta, May 2007

- "Protecting an Inheritance from Creditors"; "Estate Planning with Segregated Funds", April 2005

- "Estate Planning and Administration with the *Adult Interdependent Relationships Act*", March 2003

- "Alberta's Prudent Investor Rule", April 2002

- "Variation of Trusts in Alberta", *Trusts,* November 2000

- "The Will; Rising From the Ashes Like a Phoenix", *Planning for Disability and Death: The Estate Package*, March 1999

- Bar Admission Course, Instructor's Manual, Wills, Co-author (Taxation, Wills and Enduring Powers of Attorney), 1993 to 1996

- "Enduring Powers of Attorney", 1991

**Canadian Bar Association:**

- Wills, Estates and Trusts Section, "Testamentary Trusts for Minors in Light of Changes to the Public Trustee Act", Calgary, February 2007, Edmonton, March 2007

- Mid-Winter Meeting, "Registered Retirement Savings Plans: Tax Consequences on Death", 1999

- Mid-Winter Meeting, “Update on Enduring Powers of Attorney”, 1993

- Mid-Winter Meeting, “Registered Retirement Savings Plans: Designation of Beneficiaries”, 1989

## Professional Activities:

**Law Society of Alberta**

- Mentor on Wills and Estates (This is a program established by the Law Society to assist lawyers with wills and estates problems.)

**Alberta Department of Justice**

- Surrogate Rules Advisory Committee, Member, 1996 to 2013
  - Appointed by the Law Society of Alberta

**Alberta Law Reform Institute**

- Trustee Act Project; Trustee Act Advisory Committee, 2013 -2014
- Succession Law Reform Project; Project Management Committee member, 2005 to 2010
- “Reform of the Intestate Succession Act”, Advisory Committee, 1994/1995
- “Division of Matrimonial Property on Death”, Advisory Committee, 1996/1997

**Uniform Law Conference of Canada**

- Member of the working group for the development of a Uniform Trustee Act, 2009 – 2012. The final report was approved by the ULCC in August 2012

## Personal Interests:

- Cross country skiing, telemark skiing, golf, sailing, music.

**Contact information:**
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