Michelle Isaak

Partner
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Michelle Isaak is a partner who practises in the area of personal wealth management. She has extensive experience advising clients on all aspects of estate and trust planning, adult guardianship and capacity planning, and estate and trust administration.

Michelle assists clients with developing individualized estate plans which incorporate tax, succession and familial considerations. She advises clients on the preparation of wills, powers of attorney, and representation agreements, the settlement of alter ego, joint spousal and family trusts, the complexities of planning for a blended family, and business succession.

- Family Law
- Wills, Estates and Trusts

English

A significant portion of Michelle's practice is devoted to advising executors, trustees and beneficiaries on estate and trust administration issues, such as obtaining or resealing representation grants, administering assets and trusts in a tax efficient manner, resolving disputes between trustees and beneficiaries, replacing trustees, and passing accounts, both informally and through the B.C. Supreme Court.

Michelle has particular expertise in complex estate planning and administration issues, such as planning for and administering estates with assets in multiple jurisdictions, planning for and administering Indigenous estates under the *Indian Act*, administering insolvent estates, and advising trustees in cases where the deceased has been murdered by a beneficiary.

Michelle is an active volunteer for the Continuing Legal Education Society of British Columbia, serving on the editorial board of the *BC Probate and Estate Administration Practice Manual*, as a contributing author to the *BC Estate Planning and Wealth Preservation Practice Manual*, and as a speaker at numerous CLE conferences and webinars. She presents frequently on the subject of wills, trusts and estate administration for organizations such as the Pacific Business and Law Institute, Society of Trust and Estate Practitioners (STEP), Canadian Bar Association of BC, and the Estate Planning Council of Vancouver. In June 2020, Michelle was featured in CLEBC's "In the Spotlight" for her numerous contributions to the legal field.

Michelle has been listed in the *Best Lawyers in Canada* directory for Trusts and Estates since 2018, including being recognized as the 2019 "Lawyer of the Year" for Trusts and Estates in Vancouver, and is recognized by Lexpert® as a leading practitioner in the field of estate and tax planning.

LANGUAGES SPOKEN

- English

CREDENTIALS

Admissions

- British Columbia, 2004

Recognitions

- *Best Lawyers in Canada* (Trusts and Estates), 2018-2023
- *Canadian Legal Lexpert® Directory* (Estate & Personal Tax Planning), 2020-2022
- Lawyer of the Year, *Best Lawyers in Canada* (Trusts and Estates: Vancouver), 2019

Education

- LL.B., University of British Columbia, 2002
- B.Comm., McGill University, 1990

Memberships

- Member of CBA Wills &Trusts (Vancouver) Section

Community Involvement

- Board Member, Island Pacific School, 2011 - 2014
- Board Member, Cottage Farm Centre for Mental Health Recovery Society, 2008 - 2014
- Board Member, Bowen Island Preschool and Daycare Society, 2000 - 2002
- Board Member, Bowen Island Family Place Society, 1998-2000

INSIGHTS

Publications

Electronic witnessing of enduring powers of attorney and representation agreements under the BC COVID-19 Related Measures Act

8 October, 2020

On July 10, 2020, Bill 19 – 2020: COVID-19 Related Measures Act entered into force. The Act repealed and re-enacted numerous ministerial orders made under the *Emergency Program Act*, including Ministerial Order No. M162, which sets out the requirements for remotely witnessing enduring powers of attorney under the *Power of Attorney Act*, as well as representation agreements under sections 7 and 9 of the *Representation Agreement Act*. The re-enactment of the Order as a COVID-19 provision under the Act has effectively extended the duration of remote witnessing of enduring powers of attorney and representation agreements.

- Co-author, "The Administration of Firearms - Advice for the Personal Representative," *Estates, Trusts & Pensions Journal*, May 2018

Events

SPEAKING ENGAGEMENTS

- Presenter, “Thorny Issues in Estate Administration”, CBABC Wills & Trusts (Vancouver) Section meeting, October 2020.

- Presenter, “Practicing Wills, Estates and Trust Law during Covid-19”, CLEBC Webinar, April 2020.
- Presenter, “Valuing Assets for Probate and P14 Amendments”, CLEBC Conference, *Estate Planning Express 2020*, March 2020.
- Co-Presenter, “Thorny Estate Administration Issues – A Multidisciplinary Perspective”, STEP Vancouver Branch, March 2020.
- Presenter, “Estate Planning and Administration for Indigenous Clients”, CBABC, *Wills & Estates Conference 2019: Tackling Challenging Issues in Estate Law*, September 2019.
- Presenter, “How to test for Testamentary Capacity: A Demonstration”, Trial Lawyers Association of BC, *Estate & Family Law Summit*, April 2019.
- Co-Presenter, “Considerations When Choosing Your Decision-Makers”, Pacific Business & Law Institute Conference, *Cross-Border Estate Planning 2019*, March 2019.
- Co-Presenter, “Death in the Digital Age: Dealing with Digital Assets and Intangible Property on Death”, Estate Planning Council of Vancouver, Feb 2019
- Presenter, “The Trust as a Challenged Asset in Family Law Claims”, CLEBC Conference, Estate Litigation Update 2018, November 2018
- Presenter, "Administration of Estates under *WESA",* Pacific Business & Law Institute Conference, *The WESA Effect: Where Are We Now?*, Sept 2018
- Co-Presenter, “Death in the Digital Age: Dealing with Digital Assets and Intangible Property on Death”, CBABC Wills & Trusts (Vancouver) Section, Jan 2018
- Presenter, “Alter Ego and Joint Partner Trusts and the LTO - How to deal with title”, CLEBC Conference, *Estate Planning Express*, Apr 2017
- Presenter, “Responsibility for Death”, Pacific Business & Law Institute Conference, *Complex Issues in Estate Administration*, Jan 2017
- Co-Presenter, “Probate Practice and Pitfalls”, Society of Trust and Estate Practitioners (STEP), Jan 2017
- Co-Presenter, “Multiple Wills – Planning and Administration”,CLEBC Conference, Estate Planning Update, Oct 2016
- Co-Presenter, “Ensuring you have the appropriate trustee”, Pacific Business & Law Institute Conference, *Trusts 2016: Using Trusts Effectively*, June 2016

NEWS

DLA Piper Canada lawyers recognized in 2022 *Canadian Legal Lexpert Directory*

March 4, 2022

DLA Piper (Canada) LLP is pleased to announce our lawyers have been ranked as leading practitioners in the 2022 edition of the *Canadian Legal Lexpert Directory.*

DLA Piper (Canada) LLP recognized in the 2022 *Best Lawyers in Canada* guide

26 August 2021

DLA Piper (Canada) LLP is thrilled to see 84 of our lawyers across 35 practice areas recognized in the 2022 Best Lawyers in Canada guide.

DLA Piper Canada has strong showing in 2021 *Canadian Legal Lexpert Directory*

22 April 2021
DLA Piper (Canada) LLP has increased their rankings in the Canadian Legal Lexpert Directory for the third consecutive year.

MEDIA MENTIONS

- Interview, "In the Spotlight," Continuing Legal Education Society, June 2020
- Quoted, "Give away wealth now, or later," Advisor.ca, January 11, 2015