

Heather Mountford

1700-439 University Ave. • Toronto, Ontario • M5G 1Y8
(416) 928-6685 • hmountford@ggslawyers.com

INTRODUCTION

Heather Mountford has been an associate at the firm Goddard Gamage LLP in Toronto, Ontario since 2009. Goddard Gamage LLP is a boutique firm specializing in estate litigation, estate planning, estate administration, consent and capacity law, elder law, Ontario Disability Support Program issues, and power of attorney litigation.

WORK EXPERIENCE

Goddard Gamage LLP

Lawyer

September 2009 – Present

- Assisting clients with estate planning, including drafting multiple wills, inter vivos trusts, powers of attorney, and advance care planning documents
- Advising fiduciaries regarding the administration of trusts and estates, and advising substitute decision-makers on their duties and obligations
- Representing individuals, corporations and government organizations in litigation in the areas of guardianship, consent and capacity, power of attorney disputes, will challenges, dependant support claims, the interpretation of testamentary documents, removal of fiduciaries for breach of duties, solicitor negligence, and estate, trust and guardianship accountings
- Appearing before the Superior Court of Justice and Administrative Tribunals on contested applications and motions, settlement conferences and pre-trial conferences
- Dealing with inter-jurisdictional issues in the context of litigation, estate administration and estate planning
- Writing and speaking at professional development and community programs for audiences including lawyers, health care professionals, accountants, financial advisors, and trust companies on topics regarding estate planning, estate administration, substitute decision-making, consent and capacity law, and inter-jurisdictional estate administration issues

Office of the Public Guardian & Trustee, Ministry of the Attorney General

Student-at-law

August 2008 – June 2009

- Articling term was divided into three practice areas: charitable property law, civil litigation, and guardianship law
- Researched and drafted applications, motions, statements of claim, facta and mediation briefs in the following practice areas: family law, contracts, charity law, torts, real estate, trusts, estates, guardianship, health law, labour, and bankruptcy
- Appeared before the Ontario Court of Justice, Superior Court of Justice, and administrative tribunals

ARTICLES, PAPERS AND PRESENTATIONS

- Lifetime Benefit Trusts and Henson Trusts* – to be presented at the Law Society of Ontario, 21st Annual Estates and Trusts Summit program **October 2018**
- Introduction to Consent and Capacity Law* presented at the APTUS Treatment Centre, Family Advisory Committee Special Education Lecture **April 2018**
- Evaluating Capacity - Managing Consent and Capacity Issues in Wills and Estates* co-presented with Dr. Nathan Herrmann at the Osgoode Professional Development Centre, Intensive Program in Wills and Estates **March 2018**
- Making Sense of Disability in the Context of Child Support and Dependant Support* co-presented with Robert Shawyer at the Ontario Bar Association program, “Critical Issues at the Intersection of Family Law, Trust and Estate Law” **March 2018**
- Understanding the Substitute Decisions Act, from Property Management to Personal Care Decisions* presented at the Osgoode Professional Development Centre program, “Guide to Consent, Capacity and Substitute Decision Making” **December 2017**
- Finalizing the Will and Next Steps* presented at the Ontario Bar Association, program, “Wills and Estate Planning: A Primer” **November 2017 & September 2015**
- Reading the Will – Identifying Issues and Applications for Directions* presented at the Law Society of Ontario program, “Practice Gems: Administration of Estates” **September 2017**
- Navigating Guardianship Applications* presented at the Ontario Bar Association program, “Estate Litigation: A Primer” **April 2017**
- Best Practices for Handling Dementia and Associated Capacity Concerns* presented at the Ontario Bar Association program, “Kissing Cousins: Where Family Law, Trusts and Estates Law Meet” **April 2016**
- Serving the Elderly Client, Best Practices and Practical Tips* presented at the Osgoode Professional Development Centre program, “Advising the Elderly Client” **November 2015**
- Substitute Decision Making in a Complex and Mobile World* presented at the Ontario Bar Association - Trusts and Estate Section program **October 2015**
- Your Attorney’s Legal Roles and Responsibilities, and How to Protect Against Power of Attorney Abuse* presented at the Elder Abuse Ontario program, “Understanding Legal Issues as We Age” **October 2014**
- Powers of Attorney for Property and Personal Care: Advance Care Planning for What Folks Really Care About* co-presented with Dr. Natalie Archer at the Osgoode Professional Development Centre Elder Law Webinar Series **June 2014**

<i>Capacity – What’s Myth and What’s Reality, and Why it’s Essential to Know the Difference</i> co-presented with Laurie Redden, Deputy Public Guardian and Trustee, at the Alternative Dispute Resolution Ontario program, “Elder Mediation: Dispute Resolution for Our Aging Population”	April 2014
<i>Client Interview, Fact Gathering and Investigation</i> co-presented with Debra Stephens at the Osgoode Professional Development Centre program “Managing, Mediating and Litigating Estate Disputes”	June 2013
<i>Case Comment: Papatotiriou v. Manufacturer’s Life Insurance Co.</i> , article, Ontario Bar Association (OBA) Trusts & Estates Law Newsletter	February 2013
<i>Powers of Attorney and Substitute Decision Making</i> , presented at the East End Community Health Centre	March 2013
<i>Conflict of laws in Intestate Succession</i> presented at the Law Society of Ontario 15 th Annual Estates and Trusts Summit program	November 2012
<i>Cross-border Legal Remedies to Protect Cognitively Impaired Adults</i> co-presented with Peter Schmiedel, National Academy of Elder Law Attorneys Annual Conference	April 2012
<i>Unexpected Benefits: How Lawyers and the Community Prosper from Pro Bono Work</i> , article, Ontario Bar Association (OBA) Trusts & Estates Law Newsletter	March 2012
<i>Legal Issues for Caregivers</i> , presented for the Senior People’s Resources in North Toronto	May 2011
<i>Trust Companies as Decision Makers: When Property and Personal Care Decisions Collide</i> , presented for the Canadian Imperial Bank of Commerce Trust Company Lunch & Learn Program	September 2010
<i>Motions for Directions for Corporate Estate Trustees</i> , presented for the Canadian Imperial Bank of Commerce Trust Company Lunch & Learn Program	May 2010
<i>Case Comment: Re Estate of John Mitchell</i> , article, Ontario Bar Association (OBA) Trusts & Estates Law Newsletter	May 2010

PROFESSIONAL ASSOCIATIONS & MEMBERSHIPS

- Executive Member of the Elder Law Section of the Ontario Bar Association Committee **2018 - Present**
- Member of the Board of Directors of Family Councils Ontario **2016 – Present**

- Student member of the Society of Trusts and Estates Practitioners (STEP) **2016 – Present**
- Executive Member of the Elder Law Section of the Canadian Bar Association Committee **2013 – 2018**
- Tutor for the Lawyer Licensing Process Tutoring Program **2012 – Present**
- Member of the Senior People’s Resources in North Toronto Advisory Committee **2011 – Present**
- Member of the Mental Health Legal Committee **2011 – Present**
- Member of the Ontario Bar Association and Canadian Bar Association **2009 – Present**
- Member of the Law Society of Ontario **2009 – Present**

EDUCATION

- Certificate in Elder Law**, Osgoode Professional Development Centre **2015**
- Called to the Bar of Ontario** **2009**
- Bachelor of Laws**, Osgoode Hall Law School **2008**
- Bachelor of Arts Honours** **2005**
 - Graduated as a Member of the Dean’s Honour Roll
 - Ross McMillan Award: Outstanding Contribution to the York University Community
 - Master’s Award: Outstanding Contribution to Student Life on Campus
 - Ellen Baar Award: Outstanding Commitment to the Public Policy Mandate of McLaughlin College