



Kimberly A. Whaley, CS, TEP, LLM

PRACTICE

Kimberly A. Whaley is the founder and principal of the Toronto Boutique Trusts and Estates Litigation Firm, WEL Partners. Kimberly is also a Solicitor of the Supreme Court of England and Wales. Her practice is restricted to the resolution, litigation and mediation of estate and related disputes throughout Ontario including:

- Will, Estate, Trust Disputes
- Advising Fiduciaries
- Dependant Support Claims
- Passing of Estate, Trustee, Attorney, Guardian & Fiduciary Accounts
- Capacity Proceedings
- Guardianships
- Power of Attorney Disputes
- Consent and Capacity Board
- End-of-Life and Treatment Decisions
- Medical Assistance in Dying
- Elder Law
- Elder Financial Abuse
- Solicitor's Negligence
- Representation of Persons Under Disability
- Probate Applications
- Opinions
- Agency Services
- Approval Motions Under Rule 7

WEL MEDIATION

Kimberly mediates estate and trust related disputes within her practice areas.

RECOGNITIONS

Kimberly's firm was ranked nationally by Canadian Lawyer in January 2014 and 2015, as one of the Top 5 Trusts and Estates Boutique firms in Canada. Kimberly was inducted as a Distinguished Fellow of the Canadian Centre for Elder Law (CCEL) in Vancouver, 2012. Kimberly was designated as a Certified Specialist in Estates and Trusts Law by the Law Society of Upper Canada in 2006. Kimberly has been peer selected annually since 2008 for inclusion in Best Lawyers in Canada in the practice area of Estates and Trusts. Kim was chosen by Lawday Leading Lawyers as one of the top 60 leading lawyers in Canada in Estates and Trusts. She was given the MartindaleHubbell – BV Distinguished Rating in both Legal Ability and Ethical Standards. Kim is Lexpert ranked in the Canadian Legal Lexpert Directory, an acknowledgement of excellence by peers and colleagues. Kim is a ranked lawyer in Chambers Canada. Kim and her firm has been recognized since 2012 by Global Law Experts (GLE), receiving annual awards in the Boutique category – Trust & Estate Law Firm of the Year in Canada. Kim has been recognized by Chambers Canada as a leading lawyer in the area of Private Client: Contentious Trusts (2016).



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HONOURS AND AWARDS

Kimberly was awarded the OBA-Hoffstein Book Prize Award in 2009, recognizing contributions and achievements by Members of the OBA in Wills, Trusts, Estates, Writing and Teaching. Kimberly was ranked in the inaugural Chambers Canada Awards in 2015 as a member of a select group at the very top of the profession.

PROFESSIONAL ASSOCIATIONS AND MEMBERSHIPS

Kimberly is a Past-Chair of the OBA Trusts & Estates Executive, and Executive Member of the CLE and Institute Executives. Kim is currently a member of the CBA Elder Law Section and an Executive Member, OBA Awards Committee. She is on the Expert Advisory Focus Group for the Law Commission of Ontario (LCO) Law Reform Project as it relates to Ontario's Capacity and Guardianship Laws and to RDSPs. Kim is the Toronto Branch Past-Chair of The Society of Trust and Estate Practitioners (STEP), Toronto, and Past Director of STEP CANADA. Kim has also been Program Officer, Toronto and is designated as a full member of STEP Worldwide as a Trust and Estate Practitioner, TEP, and is currently a member of the 2016 STEP Canada National Conference Planning Committee.

Kimberly is a member of the Ontario Bar Association's 2015-2017 JUST Editorial Board.

Kimberly is an honorary committee member of The Professional Advisory Group of the Baycrest Foundation. Kimberly is a member of the Estate Planning Council of Toronto. Kimberly has been on the Estate List Users Committee of the Ontario Superior Court of Justice at Toronto since its inception in 2003.

TEACHING

Kimberly has taught Appellate Advocacy as an adjunct professor at Queen's University where she received the Queens's University Special Lecturer Award and at the University of Toronto. She also taught at the Bar Admission Course at Osgoode, and regularly presents at Continuing Legal Education programs for lawyers, in-house financial institutions, Institute of law Clerks of Ontario (ILCO), hospitals, accountants, financial advisors and other organizations and foundations, universities and colleges. Kim maintains a teaching affiliation with the University of Toronto and recently taught classes on the subject of 'Capacity' together with Laura Watts in a gerontology course on Law and Aging and on Financial Abuse of the Elderly.

PUBLICATIONS

Kimberly has been published extensively in a variety of books, journals and periodicals. For a full listing of her publications please download her full CV which can be found at: http://www.whaleyestatelitigation.com/resources/WEL_whaley_cv.pdf

PERSONAL

Kimberly's most rewarding achievement and passion is her daughter, Sammi, age 16. Kim has an affection for cooking, cycling and photography and is still experimenting with her Nikon D800 and new lenses. Kim also runs marathons in her spare time and is taking guitar lessons. Loves Bewitched, Audrey Hepburn and Peanuts – favourite is Snoopy.