



Bryan Gilmartin, BMus, JD/JD

PRACTICE

Bryan Gilmartin is a Co-Managing Partner at WEL Partners where he practices exclusively in the areas of estate, trust, power or attorney, capacity, and guardianship litigation. Practice areas include:

- Wills, Estates, Trusts 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
- Mediation

EXPERIENCE

Bryan came to the practice area honestly. Growing up an only child in a small town in northern Ontario, he lived and worked in the family funeral home alongside his mother and father. At a young age, Bryan was immersed in the sensitivities, tragedies, and emotions that accompany death. He also had the opportunity to learn how to navigate the challenges of running a small business. He relies on these experiences every day when navigating the challenges that accompany the practice area.

Leaving his undertaking days behind him, Bryan left the north to pursue an education in music at the University of Toronto where he studied jazz performance. During his studies, he had the opportunity to play with some of the great jazz musicians in the country and the world. He also taught music all over the city of Toronto. After a few years of playing late nights into early mornings with several incredible yet forgettable bands, Bryan set his sights on a career in law and he

attended the Dual JD program at the University of Windsor and the University of Detroit Mercy.

Bryan joined WEL Partners as a Summer Student and worked there throughout his law school years. Upon his graduation, he returned as an Articling student and then as an Associate following his call to the Ontario Bar in 2020. Bryan has worked on matters at all levels of court, including the Ontario Court of Appeal and the Supreme Court of Canada. He frequently mediates trust and estate related disputes and recently completed the Mediation Intensive program at Harvard Law School. His articles have been featured in the Globe and Mail, he regularly presents at Continuing Legal Education programs and has been named in Best Lawyers since 2022. Bryan is a member of the Society of Trust and Estate Practitioners, the Baycrest Foundation Professional Advisory Group, and the National Academy of Elder Law Attorneys.

When not at work, Bryan enjoys making his way around the city in search of the best cup of coffee with his wife and their two young sons (hence why coffee is required). You may also find him on a golf course with friends, cooking elaborate meals on his kamado grill, or back up north wetting a line at his favorite fishing hole.

AWARDS & SPECIAL RECOGNITIONS

Best Lawyers: Ones to Watch, 2022 – present

Wolfe Goodman Award recipient, 2026

PROFESSIONAL ASSOCIATIONS AND MEMBERSHIPS

Law Society of Ontario (LSO)

Ontario Bar Association (OBA)

Canadian Bar Association (CBA)

Society of Trust and Estate Practitioners (STEP)

International Bar Association (IBA)

Toronto Lawyers' Association (TLA)

The Advocates Society (TAS)

National Academy of Elder Law Attorneys (NAELA), Member

Estate Planning Council of Canada, Member

Toronto Police Service Seniors Community Consultative Committee, Civilian Co-Chair
January 2026 – present

The Professional Advisory Group at Baycrest Foundation, Group Member,
January 2021 – present

SickKids Professional Advisors Network, Member
October 2023 – present

Canadian Bar Association Estates and Trusts Law Section, Member at Large
September 2025 – August 2026

Ontario Bar Association Elder Law Executive, Technology Liaison
September 2023 – June 2024

Ontario Bar Association Elder Law Executive, Member at Large,
September 2021 – August 2023

Ontario Bar Association Alternative Dispute Resolution Executive, Member at Large,
September 2021 – August 2023

Estate List User Committee (ELUC) of the Ontario Superior Court of Justice at Toronto
June 2020 – December 2021

SPEAKING & PRESENTATIONS

- Speaker, Osgoode Hall Professional Development, Incapacity Planning and Powers of Attorney, Toronto, Ontario, April 30, 2026
- Speaker, Capacity Australia, Ageism and Human Rights, Marakesh, Morocco, April 6, 2026
- Lecturer, Osgoode Hall Law School, Elder Law and Predatory Marriage, Toronto, Ontario, March 5, 2026
- Speaker, LEV Continuing Education, Parkinson's, Law, and Leadership: Navigating Capacity, Credibility, and Care, Toronto, Ontario, February 24, 2026
- Speaker, Osgoode Hall Professional Development, Estate Litigation Certificate Program, Costs in Estate Litigation, Toronto, Ontario, November 11, 2025
- Speaker, Osgoode Hall Professional Development, Estate Litigation Certificate Program, Applications and Motions for Directions, Toronto, Ontario, November 11, 2025

- Speaker, Law Society of Ontario Trusts and Estates Summit, POA Litigation Issues, Toronto, Ontario, October 22, 2025
- Speaker, Canadian Lawyer, A.I. Tools for Estates and Trust Lawyers: What you Need to Know, Toronto, Ontario, October 16, 2025
- Speaker/Chair, Colloquium Legal Education Conference, Estates Section, Sudbury, Ontario, October 15 – 17, 2025
- Faculty, University of Toronto Faculty of Medicine, The Role of the Medical Expert in Estate Litigation, Toronto, Ontario, September 11-12, 2025
- Speaker, Canadian Lawyer, Assessing Capacity: Insights and Analysis from Medical & Legal Experts, Toronto, Ontario, September 10, 2025
- Speaker, Ontario Bar Association Trusts and Estates Law Section: Essential Evidence for Estate Litigators, Toronto, Ontario, July 15, 2025
- Speaker, Canadian Lawyer, The Law of Joint Ownership: Navigating Key Legal Developments, Toronto, Ontario, May 13, 2025
- Speaker, Osgoode Hall Professional Development, Incapacity Planning and Powers of Attorney, Toronto, Ontario, April 30, 2025
- Speaker, Greater Toronto Area Accountant Network, Estate and Tax Pitfalls: Planning and Problems, Toronto, Ontario, December 17, 2024
- Speaker, Canadian Lawyer, Keeping up with Landmark Estate Litigation Decisions, Toronto, Ontario, November 6, 2024
- Speaker, Law Society of Ontario Trusts and Estates Summit, Conflicts of Law in Guardianship Proceedings, Toronto, Ontario, October 22, 2024
- Speaker, Osgoode Hall Professional Development, Estate Litigation Certificate Program, Costs in Estate Litigation, Toronto, Ontario, October 21, 2024
- Speaker/Chair, Colloquium Legal Education Conference, Estates Section, Sudbury, Ontario, October 16 – 18, 2024
- Speaker, Ontario Bar Association Elder Law Day, Toronto, Ontario, June 20, 2024
- Speaker, Osgoode Hall Professional Development, Incapacity Planning and Powers of Attorney, Toronto, Ontario, April 22, 2024

- Speaker, Cambridge Forum on Estate Planning & Litigation, Recognition of Foreign Guardianship Orders in Canada, Banff, Alberta, April 7 – 9, 2024
- Speaker, International Federation on Ageing Global Café Series, In Conversation with Bryan Gilmartin, Toronto, Ontario, November 17, 2023
- Speaker, Ontario Bar Association Trusts and Estates Section, Estate Planning in the Modern Era – Electronic Documents and Electronic Signatures, Toronto, Ontario, November 16, 2023
- Speaker, Canadian Elder Law Conference, The Role of the Medical Expert in an Estate Practice, Vancouver, British Columbia, November 9 – 10, 2023
- Speaker/Chair, Colloquium Legal Education Conference, Estates Section, Sudbury, Ontario, October 18 – 20, 2023
- Speaker, Osgoode Hall Professional Development, Incapacity Planning and Powers of Attorney, Toronto, Ontario, April 19, 2023
- Speaker, Hesperus Village, Wills and Powers of Attorney, Toronto, Ontario, March 2, 2023
- Speaker, Malvern Family Resource Centre, Senior's Active Living Fair, Powers of Attorney, Scarborough, Ontario, February 15, 2023
- Speaker, Elder Abuse Investigation Course, Civil and Criminal Remedies, Toronto Police College, Toronto, Ontario, December 9, 2022
- Speaker, ILCO, Capacity to Retain and Instruct Counsel, Niagara On the Lake, Ontario, November 2, 2022
- Speaker, 2022 Colloquium Legal Education Conference, Transfers for no Consideration, Sudbury, Ontario, October 20, 2022
- Speaker, Osgoode Hall Professional Development, Estate Litigation: The Practical Guide for Legal Professionals, Toronto, Ontario, October 6, 2022
- Speaker, Ontario Bar Association Elder Law Day, Toronto, Ontario, June 20, 2022
- Faculty, University of Toronto Faculty of Medicine, The Role of the Medical Expert in Estate Litigation, Toronto, Ontario, June 27-28, 2022
- Speaker, Reach Canada, Reach 2022 Hoarding Conference, Increasing Awareness, Legal Challenges and Community Collaboration, Ottawa, Ontario, June 1, 2022

- Speaker, Osgoode Hall Professional Development, Incapacity Planning and Powers of Attorney, Toronto, Ontario, April 19, 2022
- Speaker, Canadian Bar Association, Assessing Incapacity in a Digital World, Toronto, Ontario, April 7, 2022
- Speaker, Malvern Family Resource Centre, Senior's Active Living Fair, Scarborough, Ontario, March 25, 2022
- Speaker, Greater Toronto Area Accountant Network, Trusts and Estates for Financial Professionals, Toronto, Ontario, October 21, 2021
- Speaker, Ontario Bar Association Elder Law Day, Toronto, Ontario, June 21, 2021
- Speaker, Ontario Police College Elder Abuse Investigation Course, Aylmer, Ontario, November 23, 2020
- Speaker, Greater Toronto Area Accountant Network, Trusts and Estates for Financial Professionals, Toronto, Ontario, October 20, 2020
- Speaker, Toronto Police Seminar, Elder Abuse, Toronto, Ontario, November 1, 2019

PUBLICATIONS

- Author, Estates Trusts & Pensions Journal, *Recognition of Foreign Guardianship Orders in Ontario: Addressing the Legislative Gap*, Volume 44 Number 3, October 2025 - (Wolf Goodman Award Winning Publication)
- Co-Author, Civil Procedure and Practice in Ontario, Parties and Joinder, Rule 9 - Estates and Trusts, 2021 – present
- Co-Author, Civil Procedure and Practice in Ontario, Parties and Joinder, Rule 10 - Representation Orders, 2021 – present
- Co-Author, Civil Procedure and Practice in Ontario, Particular Proceedings, Rule 73 - Reciprocal Enforcement of United Kingdom Judgments, 2021 – present
- Co-Author, STEP Journal, *Good Counsel*, Issue 2, 2025
- Interview, Financial Post, how to establish a multigenerational burial plot, January 26, 2023
- Co-Author, Globe and Mail, *Four Changes to Ontario's Estate Planning Laws Advisors and their Clients Need to Consider*, February 9, 2022

- Interview, SAGE Magazine, National Association of Federal Retirees, December 2021

NOTABLE CASES

Goutzioulis-Lavoy v. Goutzioulis, 2024 ONSC 5386

Troy v. Troy et al., 2024 ONSC 5767

Dyal v. Dyal, 2023 ONSC 4322

Johnson v. Johnson, 2022 ONCA 682

Lockhart v. Lockhart, 2021 ONCA 807

Lockhart v. Lockhart, 2021 ONCA 329

Lockhart v. Lockhart, 2020 ONSC 7620

LEGAL EMPLOYMENT HISTORY

WEL Partners / Whaley Estate Litigation: Co-Managing Partner, January 2026 – present

WEL Partners / Whaley Estate Litigation: Partner, 2023 – present

WEL Partners / Whaley Estate Litigation: Associate, 2020 – 2022

WEL Partners / Whaley Estate Litigation: Articling Student, 2019 – 2020

WEL Partners / Whaley Estate Litigation: Summer Student, May 2018 – August 2018

EDUCATION AND QUALIFICATIONS

Program on Negotiation – Mediation Intensive, Harvard Law School, November 2024

Juris Doctor, University of Windsor: May 2019

Juris Doctor, University of Detroit Mercy School of Law: May 2019

Bachelor of Music (Honours), University of Toronto: May 2015