



Arthur Fish

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Arthur Fish is a partner in the Tax group in the Toronto office of Borden Ladner Gervais LLP and the Manager of the Toronto Regional Family Wealth Counsel Practice. Arthur advises **commercial fiduciaries** on a wide range of issues. He has expertise in:

- mental capacity and estate law
- mental capacity and substitute decision making
- the creation and operation of commercial trusts
- charities and estate planning and administration

He has planned and administered a number of large estates for **high net worth** Canadian families.

Arthur also acts as a **mediator** in estate, trust and guardianship disputes.

Experience

- Assisted a family with very substantial assets in developing a structure that allowed the family to repair frayed relationships by adopting a structured approach to consultation and decision-making.
- Assisted a number of families in completing the efficient administration of bankrupt estates.
- Developed a patient and persistent approach to mediating complex disputes that has resulted in successfully resolving a number of very bitter, multi-party disputes.

- Assisted in establishing several charitable and not-for-profit structures that provided for overseas operations or the ownership and operation of related businesses.
- Assisted in developing effective strategies for updating or repairing commercial trusts – without any need for litigation - that were inadequate to meet contemporary needs.
- Acted for individual and corporate donors who have made large bequests to charity, and for charities that are receiving such bequests.
- Acts for people with disabilities, and for families with disabled relatives. He recently assisted a number of families in developing creative estate plans that protected assets without compromising individual independence.
- Advises people on crises arising from a relative's mental illness, drug abuse or alcoholism.

Insights & Events

- Supreme Court of Canada confirms that "Henson" trusts are a valuable tool for families with dependent disabled children or relatives
- Multiple Wills
- When the Mind Fails
- Co-author of a book on mental competency assessment, *When the Mind Fails* (University of Toronto Press, 1994). The book is widely used as a teaching text in hospitals and other health care settings

Beyond Our Walls

Professional Involvement

- Former Member of Ontario's Consent and Capacity Board.
- Former Chair of the Ontario Mental Health Foundation

Awards & Recognitions

- Recognized in the 2018 edition (and since 2017) of *Chambers High Net Worth* (Private Wealth Law).
- Recognized in the 2019 edition (and since 2012) of *The Canadian Legal Lexpert® Directory* (Estate & Personal Tax Planning).
- Recognized in the 2016 edition of the *Chambers Canada — Canada's Leading Lawyers for Business* (Private Client) (Band 2).
- Selected by peers for inclusion in the 2020 edition (and since 2016) of *The Best Lawyers in Canada®* (Trusts and Estates).

Bar Admission & Education

- Ontario, 1985
- Doctorate, University of Toronto Faculty of Law, 1993,
- B.C.L., Oxford University Wadham College, 1986,
- LLB, Osgoode Hall Law School, 1983,



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