



Danielle Joel

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[Estate & Trust Litigation](#)

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Danielle specializes in estates, trusts and capacity litigation and advisory work.

Danielle represents clients in highly complex issues, involving:

- succession problems and disputes involving private companies
- highly contentious matters involving fiduciaries, including breach of fiduciary duties, fraud and removal of trustees
- mental capacity issues, and substitute decision making (guardianship and powers of attorney), including disputes and advice regarding personal
- care and property issues
- the administration of complex trusts and estates, including court processes such as applications for advice and directions, interpretations and passing of accounts
- aging investors, joint assets, and gifts
- issues involving not-for-profit companies and charitable interests
- professional liability
- multi-jurisdictional issues

Danielle is a trusted advisor to a wide range of clients, including fiduciaries, beneficiaries, financial institutions, corporate trustees, private companies and non-profits/charities/foundations.

Danielle is well-versed in the practises of the Ontario Children's Lawyer and the Public Guardian and Trustee.

Danielle resolves disputes in a practical and cost effective manner, using alternative dispute mechanisms (mediation) and appears regularly in the Ontario Superior Court of Justice, as well as the Ontario Court of Appeal.

Experience

- Represented a party on a novel case involving the administration of mutual wills;
- Successfully represented a guardian in a high conflict case involving safety of an incapable person and separation of marriage;
- Successfully represented clients to defeat a windup of a not for profit corporation holding multi-million dollars lands, and obtain approval of a proposed buyout;
- Successfully argued that a property belonged to the Estate based on principles of will interpretation and defeated an unjust enrichment claim;
- Successfully represented a wife to extend the time for her *Family Law Act* election on death of her husband and is currently under appeal;
- Successfully represented a guardian for property in the approval of a management plan containing an inter vivos trust, which was opposed on the basis it was a Will substitute;
- Successfully varied a large multi-million testamentary trust where Office of the Children had an interest;
- Successfully represented the plaintiff in obtaining a multi-million-dollar equalization advance from an estate.
- Successfully represented an institutional trustee on a multi-day hearing on a contested passing of accounts.
- Successfully represented the Estate Trustee against a creditor of a beneficiary who was seeking standing on a passing of accounts.

Insights & Events

- Speaker "The Family Business: Administration and Litigation of Trusts and Estates Holding Business Assets," September 2015
- Speaker "Aging Investors" Series , BLG, ongoing

Beyond our Walls

Professional Involvement

- Member, The Advocates' Society
- Certified Specialist, Estates and Trusts Law, The Law Society of Ontario
- Past Chair of the Ontario Bar Association, Estates and Trusts Section
- Member, Society of Trust and Estate Practitioners (STEP)

Awards & Recognitions

- Recognized in the 2023 (and since 2015) edition of *The Canadian Legal Lexpert® Directory* (Estate & Personal Tax Planning).
- Selected by peers for inclusion in the 2024 (and since 2009) edition of *The Best Lawyers in Canada®* (Trusts and Estates).

Bar Admission & Education

- Ontario, 1999
- LLB, Dalhousie University, 1998
- BA (Hons., journalism), Carleton University, 1994

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As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 725 lawyers, intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration.

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