

# MAKING SENSE OF PENSIONS IN FAMILY LAW IN 2024

When a relationship ends, dividing pensions and other retirement assets is complex and technical. Mistakes can be critical – and costly.

Get expert guidance on some of the key challenges, including:

- Drafting pension division clauses that actually work
- Vexing tax issues, including how to deal with an actuarial calculation
- Interest tips and tactics
- Untangling death and survivor benefits

Register today at:

[osgoodepd.ca/pensions-2024](https://osgoodepd.ca/pensions-2024)

## PROGRAM CHAIRS

Georgina Carson

Carson Chousky Lein LLP

Anne Slivinskaskas

Managing Director, Pension Law & Governance, University Pension Plan

## REGISTRATION OPTIONS

**February 15, 2024:**

In-Person or Online (Live)

9:00 a.m. – 4:30 p.m. ET

**OR**

**March 28, 2024:**

Online (Replay)

9:00 a.m. – 4:30 p.m. ET

**Can't make the date?**

*Registration includes 120-day unlimited, online access to the recorded program.*

# Making Sense of Pensions in Family Law in 2024

Pensions, retirement assets and benefits are critical pieces of the property equalization and support puzzle. Dividing these assets is also one of the most challenging areas for family law and pensions professionals, who must navigate a myriad of legislative schemes, technical requirements, and evolving case law.

**In this intensive one day program, get the expert guidance and current knowledge you need to advise with confidence.**

This unique program brings together family law, pensions and actuarial experts who will provide you with the key knowledge and practical strategies you need to tackle the most challenging issues in pension and retirement asset entitlement that arise on relationship breakdown.

## All new content in 2024 includes:

- How-to-guide for deciphering a valuation
- Pensions as Family Property 101
- Tackling SERPS and MEPPS
- Forums for resolving pension disputes – determining where and how
- Calculating arrears on post-separation retirement payments and options for equalization
- Getting it right the first time: top tips from plan administrators to successfully transfer lump sums and share pensions in pay

## Who Should Attend

- Family Law Lawyers
- Pension Plan Administrators
- Lawyers whose practice includes family law
- Financial Advisors
- Pension Lawyers

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## Agenda

**9:00 a.m.**

### Welcome from the Chairs

**9:10 a.m.**

### Pensions as Family Property 101

#### Georgina Carson

Carson Chousky Lein LLP

#### Anne Slivinskaskas

Managing Director, Pension Law & Governance, University Pension Plan

We will start the day with a broad strokes overview of the key concepts, including:

- Legislative framework: Interconnection of family law and pension law
- Key concepts in equalization
- Identification of retirement assets: CPP, employment pensions, personal retirement savings (RRSPs, RRIFs, TRSAs, LRIFFs)
- Valuation of retirement assets: an overview
- Satisfying an equalization entitlement with pension assets

**9:55 a.m.**

### Vexing Issues in Pension Valuation

#### Kelley McKeating

McKeating Actuarial Services, Inc.

#### Georgina Carson

Carson Chousky Lein LLP

- Valuations of federally regulated and Ontario plans
- How to decipher a valuation, including due diligence questions
- What you need to know about the valuation of supplementary retirement arrangements (SERPS)

- New assumptions for valuation of multi-employer pension plans (MEPPs)

**10:40 a.m.**

### Health Break

**10:55 a.m.**

### Important Tax Considerations: Gross vs Net Value

**David Wolgelerenter,**  
**BSc, FSA, FCIA, MBA**

DSW Actuarial Services

Get expert guidance on some of the more complex tax considerations, including:

- Recording pension value on financial statements and calculating future tax liability for reduction of net family property
- Navigating tax implications when part of the pension is transferred or paid out in lieu of equalization

**11:35 a.m.**

### Implementation Issues: Tips and Tactics for Interest and Arrears

**Michelle Rival**

Senior Consulting Lawyer, Willis Towers Watson

- How to calculate arrears on post-separation retirement payments. What are the implications in considering options for equalization?
- Interest on percentage transfers vs. no interest on fixed sums and implications in considering options for equalization

**12:05 p.m.**

### Lunch Break

**1:00 p.m.**

### Untangling Survivor Pensions and Death Benefit Beneficiaries

**Samantha Chousky**

Carson, Chousky, Lein LLP

**Stephanie J. Kalinowski**

Torys LLP

- How to distinguish spousal survivor benefits from death benefits (and why the difference is important)
- Eligibility test for spousal survivor pension
- Navigating issues with spousal waivers

**1:45 p.m.**

### Forums for Resolving Pension Disputes

**Sukhvinder Dulay**

Counsel, Pension Legal & Plan Policy, OMERS

**Sydney Edmonds**

Counsel, Pension Legal & Plan Policy, OMERS

- New caselaw on potential forums for claims disputes and jurisdiction and the implications for your clients.
- When do you have to notify the regulator about litigation? How and when the FSRA policy applies
- Common issues that may require court orders. How to work with plan administrators to ensure they can be administered

**2:15 p.m.**

### Drafting Pension Provisions That Work

**Michael Zalev**

Epstein Cole LLP

**Pamela Wiktorski**

Manager, Member Experience and Pension Operations, OPTrust

**Patricia Johnson**

Manager, Member Experience and Pension Operations, OPTrust

Far too often, poorly drafted pension provisions undermine what the parties thought was a final separation agreement. Get expert guidance (with sample language) on how to draft key clauses that properly reflect and advance your client's intentions. Learn from plan administrators key strategies for how to successfully transfer lump sums and share pensions in pay.

*Includes a 15 minutes floating break*

**3:30 p.m.**

### Case Studies: Navigating the Intersection of Family Law & Pensions

**Kathy Batycky**

Counsel, Stoner & Company  
Family Law Associates

**Georgina Carson**

Carson Chousky Lein LLP

**Samantha Chousky**

Carson, Chousky, Lein LLP

**Anne Slivinskaskas**

Managing Director, Pension Law & Governance, University Pension Plan

Join our panel of experts as they grapple with some of the more common and complex issues in pension and retirement assets division, including:

- Pensions as payment for spousal and child support
- Entitlement to survivor benefits:  
*Chisholm v. Ontario*

**4:30 p.m.**

### Program Concludes

# Program Chairs

**Georgina Carson**

Carson Chousky Lein LLP

**Anne Slivinskas**

Managing Director, Pension Law & Governance,  
University Pension Plan

# Faculty Includes

**Kathy Batycky**

Counsel, Stoner & Company  
Family Law Associates

**Samantha Chousky**

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**Sukhvinder Dulay**

Counsel, Pension Legal &  
Plan Policy, OMERS

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**Patricia Johnson**

Manager, Member Experience  
and Pension Operations,  
OPTrust

**Stephanie J. Kalinowski**

Torys LLP

**Kelley McKeating**

McKeating Actuarial Services,  
Inc.

**Michelle Rival**

Senior Consulting Lawyer,  
Willis Towers Watson

**Pamela Wiktorski**

Manager, Member Experience  
and Pension Operations,  
OPTrust

**David Wolgelerenter,**

BSc, FSA, FCIA, MBA  
DSW Actuarial Services

**Michael Zalev**

Epstein Cole LLP

# Registration Details

**Fee per Delegate: \$595 + TAX**

**Newly Licensed\*: \$297.50 + TAX**

*\*This fee applies to newly licensed regulated professionals within the past 2 years*

Fees include attendance and electronic program materials. Group discounts are available. Visit [www.osgoodepd.ca/group-discounts](http://www.osgoodepd.ca/group-discounts) for details. Please inquire about financial assistance.

## Program Changes

We will make every effort to present the program as advertised, but it may be necessary to change the date, location, speakers or content with little or no notice. In the event of program cancellation, York University's and Osgoode Hall Law School's liability is limited to reimbursement of paid fees.

## Cancellations and Substitutions

Substitution of registrants is permitted at any time. If you are unable to find a substitute, a full refund is available if a cancellation request is received in writing 14 days prior to the program date. If a cancellation request is made with less than 14 days notice, a \$75 administration fee will apply. No other refund is available.



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**Email: [osgoodepd@osgoode.yorku.ca](mailto:osgoodepd@osgoode.yorku.ca)**



**Phone: 416 597 9724**



**Mail: 1 Dundas Street West, 26th Floor, Toronto, ON, M5G 1Z3**



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