



Crista Osualdini, Partner

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Crista is a trusted advisor in matters of estate planning, administration, trusts and estate litigation. She was recognized in 2020 as one of Canada's Lexpert® Rising Stars: Leading Lawyers Under 40, an award given to those who have made outstanding contributions in their careers thus far. She is a partner with McLennan Ross LLP and the leader of the firm's estate, trust and taxation practice groups. She has worked with many of Alberta's business leaders and their families to develop innovative, strategic, and comprehensive solutions for their estate plans or to tenaciously assist with estate related disputes.

Crista's estate planning practice has a focus on assisting with the intergenerational transfer of wealth in privately held corporations. She enjoys assisting her clients with devising estate plans that will create a lasting legacy. She is regularly engaged in transactional work to provide expertise on trust law and the utilization and application of trust structures in complex commercial regimes. Crista has assisted numerous executors through the administration process, including providing assistance when claims are made against the estate.

Crista's expertise in estate and trust law allows her to be an effective litigator in estate disputes. Notably, she is a lead counsel in longstanding and complex litigation relating to a First Nation's Trust. Crista has been involved in numerous estate litigation matters including those relating to elder abuse, entitlement to family farms, support for dependent family members, variation of trusts, challenges to the validity of a Will and executor negligence. Crista has a particular interest in matters pertaining to the validity of a Will when capacity is at issue and protecting vulnerable persons who have fallen victim to elder abuse.

Education:

- LL.B., University of Western Ontario
- B.Comm., University of Alberta (*with Distinction*)

Awards and Recognition:

- Lawyer to Watch - Estate and Personal Tax Planning, *Canadian Legal Lexpert Directory*
- Rising Star, *Lexpert® Rising Stars: Leading Lawyers Under 40*

Professional Associations, Affiliations and Community Activities:

- Member, Canadian Bar Association
- Executive committee member (Legislative Review) for CBA - Edmonton Wills, Estates & Trusts Subsection
- Reviewer for LESA Alberta Wills and Estates Practice Manual
- Chair, Edmonton Friar's in support of Catholic post-secondary education
- Former Board Member, Heart & Stroke Foundation
- Former Board Member, Fringe Theatre Adventures

ESTATES

Estate Litigation

- Assists spouses and other dependants who have not received proper support from the estate.
- Involved in claims against executors and trustees who are alleged to have mismanaged estate/trust assets.
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- Litigation regarding the amount of executor/trustee compensation.
- Applications to remove executors/trustees/agents/attorneys.
- Applications to vary the terms of a trust.
- Tracing estate property.
- Matters that involve disputes over testamentary capacity.
- Protection and financial recovery for those impacted by elder abuse.
- Application of Capital Dividend Account on death of a shareholder. *Jackle v Chevallier Geo-Con Ltd*, 2019 ABQB 190
- Enforcement of contractual obligations against an Estate and under an option agreement. *Morrison v Daus (Estate)*, 2019 ABQB 448

Estate Administration and Estate Planning

- Filing probate and administration applications.
- Advises on executor obligations, including accounting and sale of assets.
- Guides executors when estates are disputed, including when caveats are placed against the estate.
- Advises on estate obligations to creditors.
- Drafting all estate documents, including wills, personal directives, enduring powers of attorney and trusts in a personalized and tax efficient manner.

PRESENTATIONS & PUBLICATIONS

Presentations

- “Trustee Powers and Duties”, LESA Lake Louise Refresher, Wills and Estates
- “Trustee Powers and Duties”, CBA Pension Subsection
- “Wills Week”, Presenter, Edmonton Community Foundation
- “Estate Planning”, Seniors Association of Greater Edmonton
- “Estate Planning”, Edmonton Community Legal Centre
- “Will Drafting”, Instructor, Metro Continuing Education
- “Being an Executor/Personal Representative”, Instructor, Metro Continuing Education

Published Papers

- “Power of the Trust”, LESA Lake Louise Refresher, Wills and Estates, 2015

LITIGATION

- Experience advising trustees in bankruptcy when matrimonial property claims are made against the estate.
- Involved in numerous contractual disputes, including home owner disputes.
- Obtained injunctive relief for clients.
- Demonstrated ability to progress claims in a timely manner through the court process.