



Aaron Pearl, TEP

Partner

Estates & Trusts
Elder Law

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Profile

Aaron is a dedicated advocate practicing exclusively in estates and trusts litigation and elder law. As a partner at Clark Wilson, Aaron has built a distinguished practice representing clients in complex and emotionally charged disputes arising from the death of a loved one and the distribution of their estate. For over a decade, clients have trusted Aaron to guide them with practical advice, sound judgement, and tenacious advocacy in mediations and at all levels of court in British Columbia.

Aaron is distinguished as a Trust Estate Practitioner (TEP), having completed the Society of Trust and Estate Practitioners certification program. He excels in identifying efficient and strategic solutions tailored to our clients' needs. While Aaron tirelessly champions our clients in the courtroom, he also understands the value of resolving disputes efficiently and amicably through negotiation or mediation when possible. His ability to balance pragmatic solutions with decisive legal action ensures that our clients' interests are always safeguarded.

Beyond his successful legal practice, Aaron is a frequent speaker and contributor to leading industry publications, having spoken at Continuing Legal Education (CLE), Society of Trust and Estate Practitioners (STEP) and Pacific Business & Law Institute (PBLI) events. He is committed to advancing the legal community, having authored and editing chapters and articles on estates and trusts law and strategy, including penning the Resulting Trusts section of the authoritative EMTAGSTARTBritish Columbia Estate LitigationEMTAGEND textbook.

Work Highlights

Dismissal of Wills Variation Claim by Summary Trial

- > Sinitsin Estate, 2024 BCSC 534 - Lead counsel in successful dismissal of plaintiff's will variation claim dismissed.

Representation of Petitioner in Highly-Contentious Committee

- > Meik (Re), 2024 BCSC 1979 - Lead counsel for successful Applicant in highly contentious committee proceeding in which there were complex and contested facts. Our client was successfully appointed committee of her mother.

Disputed Interpretation of Trust Trial

- > Gaines v. Duggan, 2023 BCSC 1744 – Lead counsel in trial regarding the interpretation of a Deed of Trust. Our client was successful in defending against the Plaintiff's proposed interpretation which would have left client with no benefit from Trust.

[Additional work highlights below](#)

Services

- > Wills variation claims
- > Undue influence and incapacity claims
- > Unjust enrichment claims
- > Applications to have a document declared a will
- > Breach of trust claims
- > Passing of executor and trustee accounts
- > Committee applications
- > Construction of wills applications
- > Abuse of powers attorney claims
- > Breach of fiduciary cases
- > Executor and trustee compensation

Credentials

Awards & Distinctions

- > Society of Trust and Estate Practitioners (STEP) Private Client Awards finalist for Contentious Trusts and Estates Team of the Year 2021

Industry Involvement / Membership & Associations

- > Canadian Bar Association, member
- > Law Society of British Columbia, member
- > Society of Trust and Estate Practitioners, member
- > The Advocates Society of British Columbia, member
- > Vancouver Bar Association, member
- > Canadian Bar Association BC Branch, Estates & Trusts Elder Law Subsection, past

co-chair

Education

- > Society of Trust and Estate Practitioners, Trust and Estate Practitioner (TEP) designation, 2018
- > Call to Bar: British Columbia, 2018
- > University of Western Ontario, Juris Doctor, 2013
- > York University, Bachelor of Arts (Criminology), 2010

External Publications

- > Interviewee, How to pick an executor – and why you should have a backup, The Globe & Mail, November 4, 2024
- > Contributing author, Resulting Trusts chapter, British Columbia Estate Litigation, LexisNexis, 2020
- > Contributing author, Annotated Estates Practice, The Continuing Legal Education Society of British Columbia,
- > Contributing author, Probate and Estate Administration Practice Manual, The Continuing Legal Education Society of British Columbia
- > Contributing author, Estate Planning and Wealth Preservation Practice Manual
- > Author, The Core Trustee Duties, Trusts 2021: The Well-Advised Trustee, Pacific Business & Law Institute
- > Author, Estate Litigation Basics: Overview of Main Issues Faced in Estate Litigation, CLE BC 2024

External Presentations

- > "Contentious Estates in BC", People's Law School, December 10, 2024
- > CLE June 2024
- > "The Power and the Glory: What Powers Do Fiduciaries Have & How Are Those Balanced and Administered?", Society of Trust and Estate Practitioners, September 21, 2023
- > CLE 2023
- > "The Duties Of The Trustee", Trusts 2021: The Well-Advised Trustee, Pacific Business & Law Institute (PBLI), June 2021
- > "Estate Litigation During COVID-19", Thomson Reuters' Taxnet Pro, March 31, 2020

Additional Work Highlights

Proof of Deceased's Inter Vivos Gift of Forgiveness of Mortgage

- > Houghton-Jukes v. Gough, 2018 ONSC 1525 – Lead counsel in a dispute over whether a mortgage had been forgiven. The only evidence to corroborate the clients' disputed evidence on the deceased's intentions was an ambiguous handwritten notation. Client successfully met onus of establishing elements of inter vivos gift.

Defense in Disputed Property Ownership Claim

- > Robinson v. Kuypers, 2020 BCSC 770 - Co-counsel for defendants in successfully arguing that the plaintiff's ownership claim over property was barred by the limitation period.

Successful Representation of Executor in Interpretation of Will

- > Bradley Estate, 2023 BCSC 618 – Lead counsel for executor at a hearing in which the interpretation of will was disputed.

Successful Appointment in Contested Committee

- > Seifred v. Arnold, 2021 BCSC 278 – Co-counsel in contested petition between siblings in which client was appointed as the committee for his mother.

Complex Wills Variation Claim

- > Zen v. De Jesus, 2021 BCSC 768 – Lead counsel for defendants in application to strike portions of claim of invalidity of inter vivos transfer due to undue influence.

Dismissal of Estate Claim Due to Limitation Period

- > Jaffer v Jaffer et al, S-1611245 (Unreported) – Lead counsel in successful summary dismissal of various claims relating to ownership of estate properties due to limitation period.

Validation of Testamentary Document Which Did Not Comply with Requirements for a Will

- > Re Burnett Estate, S-2012897 (Unreported) – Validation of e-mail from deceased as last will and testament for Canadian assets.