



Troy McEachren

Partner | Montréal

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Biography

Troy McEachren, TEP, is an experienced estate and trust lawyer. Capitalizing on his expertise in civil law, common law, and tax law, Troy focuses his practice on tax and estate planning, family business succession planning, wills and trusts, and corporate reorganizations.

Troy provides counsel to private clients, businesses, investment groups, trust companies, and philanthropists and also advises institutional and individual trustees and fiduciaries in the estates, trusts, tax planning, and charities areas. Troy is often involved in multijurisdictional legal and tax issues.

Troy is also consulted on contentious and non-contentious succession litigation matters both for private clients and corporate trustees. He has particular specialization in trustee fiduciary duties both in civil law and common law. Troy has authored a chapter dealing with fiduciary duties in Quebec, entitled “L’Administration du bien d’autrui,” for the civil law legal encyclopedia *JurisClasseur Québec* that was published by LexisNexis.

In addition, Troy is recognized as a leading expert on charities and not-for-profit organizations. Troy provides tax and corporate advice on a wide range of issues including relations with tax authorities, corporate governance, planned giving, commercialization activities and social enterprise. Troy is asked to speak regularly throughout the country on issues related to charities, NPOs and planned giving.

Troy teaches succession planning and charitable giving at the Master’s of Tax Program at the HEC University of Montréal.

Troy is recognized as a leading practitioner in the area of Trusts and Estates in *The Best Lawyers in Canada* since 2013.

Professional achievements & leadership

- *Who’s Who Legal, Canada Guide - Global Leader*, Private Client, 2023
- *The Best Lawyers in Canada* – Trusts and Estates, 2013-2023; Tax Law, 2013-2024; Charities/Non-Profit Law, 2023
- *Chambers Canada* – Charities/Non-profits, 2022-2023
- Lawyer of the Year, *The Best Lawyers in Canada* – Trusts and

RELATED SERVICES

Charities & Not-for-Profit
Estates and Trusts Litigation
Private Client Services

RELATED INDUSTRIES

Social Impact

Estates, 2022-2024

- *Canadian Legal Lexpert Directory: Consistently Recommended in Charity/Not-For-Profit Law, 2018-2024; Repeatedly Recommended in Estate & Personal Tax Planning, 2018-2024*
- Best Concurrent Conference Presentation, STEP Canada Awards, 2019
- *Lexpert Zenith Award - Mid-Career Excellence in the Legal Profession, 2018*

Thought leadership

- “Forewarned is Forearmed: Questions You Should Ask Before Joining A Board of Directors”, *Social Impact Newsletter*, article written with Natasha Smith, May 11, 2018
- “You Can’t Do What You Want! UK Court Finds that Members of a Charitable Corporation are Fiduciaries of the Charity”, *Social Impact Newsletter*, August 31, 2017
- “How to Engage The Next Generation of Philanthropists”, CAGP National Conference, April 2017
- “Getting Rid of Troublesome Members: Read your Bylaws Carefully!”, *Social Impact Newsletter*, article written with Éloïse Gagné, April 10, 2017
- “The Temple of the Jedi Order – Is it a religious charity? Depends on where you live”, *Social Impact Newsletter*, February 2, 2017
- “Quebec Court of Appeal confirms that the Canada-U.S. Tax Convention not Applicable to Quebec Residents”, *Social Impact Newsletter*, November 29, 2016
- “Disability Planning and Henson Style Trusts in Quebec”, *Wealth Matters*, November 2016
- “Where’s Grandma’s Monet? Advising The Older Donor” CAGP National Conference, April 2016
- “Quebec 2016 Budget”, *Social Impact Newsletter*, April 12, 2016
- Charities and Not-For-Profits Newsletter – April 2014 edition
- “Proposed Changes to the Taxation of Testamentary Trusts and Successions, Charitable Donations and the Registration of Trusts Under the *Loi sur la publicité légale des entreprises*”, CQLR, c. P-44.1, Service de la formation permanente du Barreau du Québec, *Développements récents en succession et fiducie*, page 61, 2014
- *Using Inter Vivos Trusts in Estate and Family Planning: Alter Ego and Joint Spousal and Common-Law Partner Trusts* (with Lucinda E. Main), 2013 Ontario Tax Conference (Toronto: Canadian Tax Foundation, 2013) 9: 1-29.
- “Administration du bien d’autrui” in *JurisClasseur Québec*, coll. “Droit civil”, Biens et publicité des droits, fasc. 22, Montréal, LexisNexis Canada, feuilles mobiles
- “Administration du bien d’autrui” (Montréal : *JurisClasseur Québec Collection Thema*, 2013)
- “Case Comment: Modification of a Trust without Court Approval – in the Matter of an Arrangement Proposed by TFI Holdings Inc. et al.” (2007-2008), 67 *Revue du Barreau* 203
- *End of Life : Control of Dying and Disposition of Remains and Genetic Material*, Co-Presenter (with Dr. Anne Saris) : STEP Canada, National Conference, Toronto, June 18-19, 2015
- Conference on the recent developments in estates and trusts – 2014
- *Développements récents en succession et fiducies*, Proposed Changes to the Taxation of Testamentary Trusts and Successions, Charitable Donations and the Registration of Trusts Under the *Loi sur la publicité légale des entreprises*, CQLR, c. P-44.1 Montréal, November 28, 2014

- *Using Inter Vivos Trusts in Estate and Family Planning: Alter Ego and Joint Spousal and Common-Law Partner Trusts*, Co-Presenter (with Lucinda E. Main), 2013 Ontario Tax Conference, Toronto, October 29, 2013
- “Quebec 2016 Budget”, *Charities and Not-for-Profit Newsletter*, April 12, 2016
- “Recent Jurisprudence Regarding the Provincial Residency of Trust in Canada”, *Wealth Matters*, March 2016
- “Donations to U.S. Charities by Residents of Quebec: Court of Quebec rules that the Canada-U.S. Tax Convention not Applicable”, *Charities and Not-for-Profit Newsletter*, July 27, 2015
- “Lobbying in Quebec: more charities and NPOs may soon have to register their staff as lobbyists”, *Charities and Not-for-Profit Newsletter*, July 27, 2015
- “The Canada Not-for-Profit Corporations Act and Quebec Trust Law: A New Opportunity for Quebec Donors”, *Wealth Matters*, July 2015
- “CNCA Creates New Opportunity for Quebec Donors to Make Restricted Gifts”, *Charities and Not-for-Profit Newsletter*, June 15, 2015

Professional memberships

- Canadian Bar Association
- *Association de planification fiscale et financière*
- Society of Trust and Estate Practitioners
- Young Bar of Montréal
- Canadian Tax Foundation
- Canadian Association of Gift Planners

Languages spoken

- English
- French

Bar admissions & education

- Quebec, 1999
- B.C.L/LL.B McGill University, 1997
- B.Sc., Acadia University, 1992