

M. Elena Hoffstein

Associate Counsel

Toronto

OFFICE

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Industries & Expertise

INDUSTRIES

Charity & Not-For-Profit

EXPERTISE

Charities & Not-For-Profit | Corporate Governance | Estates and Trusts Litigation | Private Client Services

Biography

BAR ADMISSION

Ontario, 1980

EDUCATION

- J.D., University of Toronto, 1978
- M.A., Columbia University, 1970
- B.A., University of Toronto, 1969

LANGUAGES SPOKEN

English, French

Elena Hoffstein, FEA, focuses on estate planning, family business succession, corporate reorganization, and cross-border matters. Trusted for her experience in charity law, she navigates legislative and tax complexities, safeguarding multi-jurisdictional assets. Elena excels in estate litigation, including will contests and mental capacity cases, maintaining a client-centered approach throughout.

As a respected legal author and speaker, Elena contributes to publications and engages in informative sessions, sharing valuable insights on estate planning, trusts, and charitable giving. She demonstrates a dedication to her community as a member of various charitable organizations.

With extensive experience advising charities and donors, Elena holds numerous prestigious accolades. Recognized for her charity law proficiency, she conducts proactive charitable gifting planning, showcasing her dedication to clients' philanthropic goals.

Industry involvement

Recognition

- The Best Lawyers in Canada, Charities/ Non-Profit Law, 2019 – 2025; Tax Law, 2009 – 2025; Trusts and Estates, 2006 – 2025
- Chambers Canada, Charities/Non-Profits, 2018 – 2024
- The Canadian Legal Lexpert Directory – Charities/Not-for-Profit Law, 2020 – 2024; Estate & Personal Tax Planning, 2022-2024
- *Who's Who Legal*, Canada Guide – Global Leader; Private Client, 2020, 2022 – 2023
- Lawyer of the Year, *The Best Lawyers in Canada*– Trusts and Estates, 2021
- *Who's Who Legal*, Canada Guide – Thought Leader; Private Client, 2020, 2022
- *Who's Who Legal*, Canada Guide – National Leader – Canada; Private Client, 2020, 2022
- Recipient, Friend of CAGP Award in recognition of her contribution and dedication to the mission of CAGP, 2020
- Chambers High Net Worth Guide
- Who's Who Legal 100 for Private Client
- Martindale- Hubbell "AV" rating
- Lexpert Zenith Award
- Award of Excellence in Recognition of Leadership and Contribution to Estates and Trusts Law

Thought leadership

Publications

- Contributing Author, “Charities Legislation & Commentary, 2023 Edition”, published by LexisNexis Canada, December 23, 2022
- Contributing Author, “Charitable Giving in Canada”, published by Thomson Reuters, 2021
- Co-editor, The Trusts chapter of Halsbury

Speaking Engagements

- Speaker, “Gifts in Kind After Death”, CAGP, April 3, 2024
- Speaker, “Charities and Trust”, CAGP, April 3, 2024
- Speaker, “Gifts by Will”, Miller Thomson LLP, March 20, 2024
- Co-chair, “The Annotated Alter Ego Trust and Discretionary Trust 2024”, LSO, March 6, 2024
- Presenter, “Life, Death and Taxes: Planning Strategies for the Final Exit”, Canadian Bar Association’s Tax Law for Lawyers conference, June 2, 2023
- Speaker, “Matters of Interest for the Private Client Advisor”, Estate Planning Council, October 3, 2022
- Speaker, “Doing Well and Doing Good: How the Landscape for Private Foundations and Giving Is Changing”, National STEP Conference, June 17, 2022
- Co-chair, “Law Society of Ontario’s Annotated Alter Ego Trust and Discretionary Trust program”, January 26, 2022
- Speaker, “A Conversation with Experienced Estate Planners”, OBA Trusts & Estates Law Program, January 18, 2022
- Speaker, “Rules and Responsibilities of Trustees and Directors” Cambridge Forums, Senior Estates & Trusts Practitioners 1st Generation, November 22, 2021
- Presenter, “Life, Death and Taxes: Planning Strategies for the Final Exit”, Canadian Bar Association’s Tax Law for Lawyers conference, June 15, 2021
- Speaker, “Graduated Rate Estates, Charitable Gifts and Timing Issues”, CBA Charity Law Online Symposium, May 14, 2021
- Speaker, “Charitable Remainder Trusts: Tips and Traps”, CAGP’s 27th National Conference on Strategic Philanthropy, April 16, 2021
- Speaker, “A Conversation with Experienced Estate Planners”, OBA’s Trusts & Estates Law webinar, January 14, 2021
- Panelist, “What To Do When A Client is Incapacitated or Has Passed Away”, PMAC Fall Regulatory & Compliance Webcast, September 24, 2020
- Speaker, “Incentive Trusts and Purposeful Trusts” Estate Planning Council of Toronto webinar, September 22, 2020
- Speaker, “The Future of Trusts Worldwide, and How That Affects Your Practice”, STEP 2020 Speakers’ Series, September 15, 2020
- Speaker, “The Modern Family” STEP, Toronto, February 19, 2020

Community roles

- Past Member, BMO Retirement Advisory Council
- Member, Planned Giving Committee SickKids Foundation
- Member, Planned Giving Committee Toronto General and Western Hospital Foundation
- Member, Planned Giving Committee St. Michael's Hospital Foundation
- Past Director, The Clarke Institute of Psychiatry Foundation (now called the Centre for Addiction and Mental Health)
- Past Director, Canadian Mothercraft Society
- Past Director, Merry Ships

Memberships & affiliations

- American Bar Association
- American College of Trust and Estate Counsel (ACTEC)
- Canadian Association of Family Enterprise (CAFÉ)
- Canadian Association of Gift Planners (CAGP)
- Canadian Bar Association
- Member of Executive Committee Charity and Not-for-Profit Section of the Canadian and Ontario Bar Association
- Canadian Centre for Philanthropy
- Canadian Tax Foundation
- Estate Planning Council of Toronto
- Family Firm Institute (FFI)
- International Academy of Estates & Trust Law
- Law Society of Ontario (and former head of section of Estate Planning and Administration, Bar Admission Course)
- Ontario Bar Association (past chair of Charity and Not for Profit section, currently on executive committee)
- Society of Trust and Estate Practitioners (STEP)
- Past member, Advisory Committee to Attorney General (Ontario) on Hague Convention on the International Recognition of Trusts