



Malkit Atwal, Practice Group Leader, Partner

in

Edmonton

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Overview

Malkit Atwal practices in the areas of wills, estates and trusts with a focus on estate litigation, estate administration, and estate planning matters.

Malkit strives to earn the trust and confidence of his clients by achieving their goals in a timely, cost-effective and conscientious manner. He has presented at numerous continuing legal education seminars, appeared at a variety of levels of court throughout Alberta, and has participated in hearings before the Court of Appeal of the Northwest Territories and at the Supreme Court of Canada.

Regularly acting on behalf of both executors and estate beneficiaries in estate litigation matters, Malkit has been involved in numerous Court hearings involving claims made against or by an estate, including family maintenance and support claims, variation of trusts, removal of trustees, will challenges, and estate accounting applications.

Malkit's estate planning practice involves probate, drafting Wills, Enduring Powers of Attorney and Personal Directives. He works with clients to understand their goals and develops tailored plans to suit their circumstances. Malkit also regularly advises both local and national charities and private foundations on governance issues to ensure compliance with CRA's strict rules regarding the operation of such entities.

Value to Clients

"As an estate lawyer, I often meet clients who have recently suffered a loss. For many, it is an extremely emotional and stressful time in their lives. My role as their lawyer is to take some of the stress off their hands and help guide them through the legal process as efficiently and conscientiously as possible."

Outside the Office

Malkit spends time with his family and loves to travel to sunny destinations. He is a squash player, golf enthusiast, foodie, movie buff and avid reader, whose favourite book is Tale of Two Cities, by Charles Dickens.

Experience

Splett v Splett, 2017 ABQB 658

Splett v Splett, 2020 ABCA 61

Services

Wills, Estates + Trusts
Estate Administration
Wills + Estate Planning
Estate + Trust Disputes
Compliance + Corporate
Governance
Corporate + Commercial
Transactions

Education

Harvard Law School, 2023,
Certificate, Mediation and Conflict
Management
University of Alberta, 2006,
Bachelor of Laws
University of Victoria, 2001,
Bachelor of Commerce

Admissions

Alberta, 2007

Williams v. O’Leary, 2011 ABQB 229

Fallowka v. Pinkertons of Canada, 2010 SCC 5, Supreme Court of Canada

Professional

CBA Wills and Trusts Subsection

Executive

2014 - Present

CBA Elder Law Subsection

Chair

2014 - Present

Canadian Bar Association, Elder Law Group

Co-Chair

2014 - Present

Canadian Bar Association

Co-Chair, Elder Law Group

2014 - Present

Canadian Bar Association

Member

2007 - Present

Recognition

Trusts + Estates, The Best Lawyers™ in Canada: 2024 - 2025

"Repeatedly Recommended" Estate + Personal Tax Planning: (Estate + Tax Planning) (Estate Litigation), Canadian Legal Lexpert® Directory: 2023 - 2025

Notable Work

- Successfully argued that a foster child (who had been part of a family for more than 40 years) be considered a child for the purposes of the deceased parent's will and was entitled to a share of the estate.
- Resolved a family dispute when one of two siblings who had been given power of attorney, used the document to prevent the other sibling from visiting their father in hospital.

News + Views + Events

February 28, 2023

[Tips + Resources for Charities and Non-Profits as Estate Beneficiaries](#)

October 2021 - 1 min read

[Can a Power of Attorney Change a Beneficiary on a Life Insurance Policy?](#)

November 2020 - 1 min read

[Why you Need to Talk to Your Estates Lawyer About Your Personal Directive](#)

December 2019

[No Life After Death: Woman Loses Battle to Use Deceased Husband’s Sperm](#)