

18th ANNUAL WEALTH CONFERENCE



CFA Society
Toronto

May 14, 2025 | 8:30 AM - 5:00 PM | Vantage Venues

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FRED PINTO, CFA, ICD.D
CEO, CFA Society Toronto



Thank you

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Session 1

How to Transition Wealth without Dividing the Family

AMY CASTORO

President and CEO, The William Group

MODERATED BY RANDY GUNN, CFA

VP, Portfolio Manager, BULLWEALTH



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Session 2

Understanding When a Family Trust is Required

CORINA WEIGL

Partner, Co-leader, Private Client Services, Fasken
Martineau DuMoulin

Q&A MODERATED BY SCOTT DICKENSON, CFA, Member,
Private Wealth Management Committee, CFA Society
Toronto





CFA Annual Wealth Conference - 2025
Session 2: Understanding When a Family
Trust is Required

Challenges, Responsibilities, and Best Practices for Trustees

May 15, 2025

FASKEN
Own tomorrow





Overview



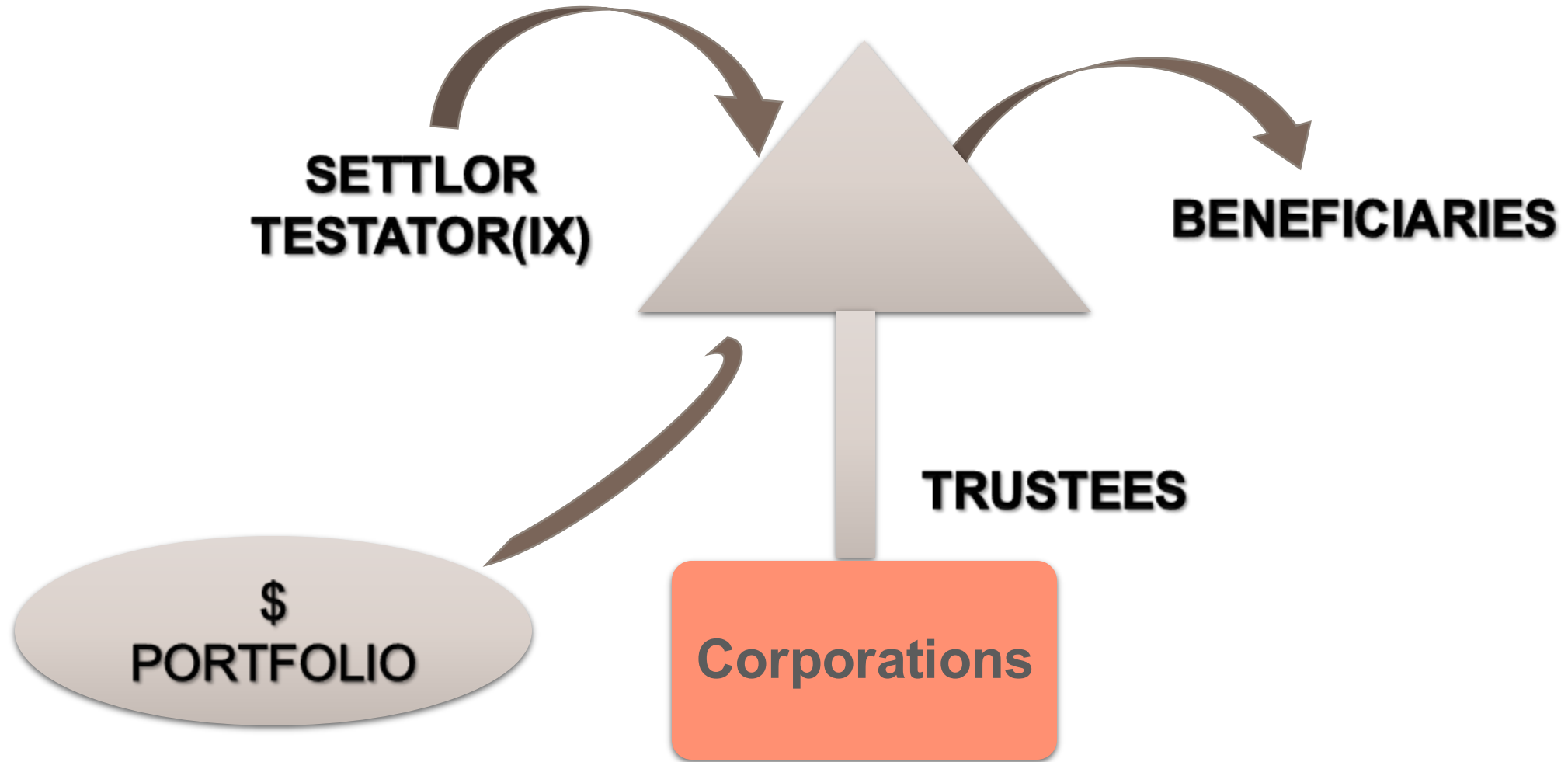
Overview

- The Easy Stuff
 - Identifying the Client Purposes for establishing a Trust
- The Not so Easy Stuff
 - Identifying the Players for the Three Roles in the Trust relationship
- The Harder Stuff
 - Challenges in the Administration of a Trust
 - The Client Challenges
 - The Technical Challenges
 - Three 21 Year Rules
 - Paying Bills
 - Record Keeping and Compliance
 - The Role of a Trustee
 - Rights, Duties and Powers
 - The Role of a Beneficiary
 - Rights, Duties and Powers
- Some Best Practices



The Easy Stuff

▼ Level Set - What is a Trust



▼ Level Set – Identifying the Trust Purpose(s)

- Recommending a trust structure = what is the purpose of separating control from enjoyment
- Two common purposes or combination of both
 - Tax Purposes
 - Non-Tax Purposes
- Why is Purpose of the Trust important
 - Guide for Trustees in their decision-making
 - Means to manage Beneficiary expectations
- Once the purpose is known, what type of Trust will further the Purpose

Two Common Trusts

- Discretionary trust – fully / limited
 - Who gets to benefit = Class of beneficiaries
 - What they benefit from = Income / capital
 - When they benefit = Timing of benefits
 - Very flexible
- Life (successive) interest trust
 - Benefits to one beneficiary during lifetime *aka* life interest
 - On death, capital distributed to other beneficiaries *aka* remainder beneficiaries
 - ITA only = *spousal, alter ego, joint partner*

▼ Purposes Furthered by a Discretionary Trust

- Asset protection
 - Family member with creditor issues e.g. spendthrift
 - Family member with capacity issues e.g. ODSP
- Hold assets/defer ownership decisions e.g. succession; defer tax on future growth; multiply access to LCGE
 - Common to Estate Freeze
 - Cottage property
- Legacy planning
 - Distribute cash flow from property to current generations and grow/preserve value for future generations
- Control the benefits from the property that are provided to beneficiaries – when, how much and who e.g. multiply access to lifetime capital gains exemption
- Income splitting

▼ Purposes Furthered by a Life Interest Trust

- Probate avoidance = Will substitute
 - Alter ego if client has no spouse
 - Joint partner if client has spouse
 - BUT need to do cost benefit analysis
- Incapacity planning = POA substitute
 - More formal than joint with right of survivorship
- Centralized property administration
- Privacy – Assets not part of Estate
- Second (or third...) marriages
 - Spousal trust but beware of the age gap
- Family conflict; dependants relief claims

▼ Challenges to Establishing a Trust

- Tax rules impact trust structure, ongoing administration and termination
 - Attribution rules – personal, corporate, trust and s.75(2)
 - 21 Year Deemed Disposition
 - Rollover rules
- Client who is a US citizen or has US family members – get US tax advice
- Transfers of property to a trust = disposition for tax purposes with limited exceptions
- Structuring a trust sounds simple BUT...
 - Attribution rules under ITA are minefields – beyond scope
 - Family law implications
 - Three certainties – settlement and other trust property must be transferred to Trustees
- Do cost benefit analysis for Life Interest Trusts

▼ Challenges to Establishing a Trust (cont'd)

- Client Expectations
 - They are making a gift! The property is no longer theirs.
 - Absolute discretion does not mean arbitrary and without limits or reasoned decisions – No longer have arbitrary control
- There are fiduciary obligations!! There are risks to Trustees
- Beneficiaries have rights and most certainly expectations
 - To be made aware of the trust
 - To receive information
 - Trust property is “theirs”
- Compliance

▼ Challenges to Establishing a Trust (cont'd)

- Document and keep the settlement property
 - Failure to be able to prove transfer of settlement property could mean no trust
- Title to assets must be registered in trustee's name
- Transfers of real estate
 - Subject to a mortgage
 - Land transfer tax
 - Assumption by Trustees
 - Changes in trustees e.g. death, resignations – consider corporate nominee
- Establishing an investment account in name of the Trust
 - Opinion required by financial institution
 - Lawyer involved in setting up trust = easy
 - Lawyer not involved in setting up trust = not so easy
 - Get the opinion when trust established



The Not so Easy Stuff

▼ The Players - Settlor

- Settlor – must have the intention
 - Testamentary = testator/testatrix
 - Inter Vivos = client; other; does it matter – yes!
- Factors to consider besides necessary intent
 - Connection to beneficiaries, e.g. family law
 - Purpose of trust
 - Tax implications
 - Avoid attribution rules ss. 74.1-74.5 / ss.75(2) & 107(4.1)

▼ The Second Player – The Trustees

- Residence = impacts tax
- Relationship to beneficiaries = impacts effective administration
- Trust assets, complexity = impacts skill set needed
- Purpose of relationship = can trustee be effective
- Number = depends on purpose; if settlor will need min. 3 acting by majority
- Decision-making = all or by majority
- Appointment, resignation, removal

Qualities for Selecting a Trustee

- Integrity and financial acumen
- Understanding of fiduciary duties
- Good communication skills
- Understanding of family values and goals
- Appreciation of beneficiary needs and expectations – human capital
- Patience and good judgment
- Residency considerations due to tax implications

Options for the Second Player

- Individuals
 - Family member
 - Friends
 - Trusted advisor
 - Spouses – married, common law, cease on separation
 - Sole, two, three +
 - Avoiding ITA s.75(2)
- Professionals
- Corporate trustee

▼ Advantages / Disadvantages of Options

- **Family Members:** Understand family dynamics, lower costs, potential emotional biases
- **Friends/Business Associates:** Independence, expertise, potential strain on relationships
- **Independent Advisors:** Professional expertise, objectivity, higher costs
- **Professional Individual Trustees:** Experience, objectivity, costs, need to develop family relationship
- **Corporate Trustees:** Continuity, professional management, higher costs, less flexibility

The Last Player – The Beneficiaries

- Enjoy beneficial use, enjoyment of property
- Nature of interest
 - Income / Capital
 - Fixed / Discretionary
 - Vested / Contingent
- Factors to consider
 - Purpose of trust
 - Rights beneficiaries have – due administration, be informed, accounting
 - Tax implications – attribution rules, non-residents, trust reuniting rules
 - Relationships – blood, adopted, artificial means, spouses
 - Status – adult; minor, unborn, incapable
 - Settlor, trustees

▼ Settlor, Trustees and Beneficiaries

- Beneficiaries
 - Including the settlor
 - Including the trustees – conflicts?
 - Including spouses
 - Defining “children” and “issue” – adopted/step/reproductive options *All Families are Equal Act (2016)* (Ontario) consequences
 - Who are beneficiaries for trust reporting?
- Power to add or remove beneficiaries



The Harder Stuff

▼ Challenges with Clients

- Inability to give up control
- Fails to act consistent with a gift
- Mandated no disclosure/no communication with beneficiaries; no compensation
- One size fits all fallacy
- Ruling from grave
- Fundamentally the challenging client lacks appreciation of the legal rights and fiduciary obligations
- **Our Role** = Educate client; take time to work through purpose and understanding of “gift” underpinning of trust relationship and rights and obligations

▼ Challenges with Trustees

- Uninformed acceptance of the “job”
- Lack of understanding of duties and powers and liabilities
- Failure to be informed re: contextual background
- Failure to act
- Failure to communicate with beneficiaries
- Slavish adherence to client directions
- **Our Role** = Facilitate management of trust property with view to managing risks to Trustees

▼ Challenges with Beneficiaries

- Lack of understanding
 - What is a trust?
 - You mean the property isn't mine?
- Unmanaged expectations
 - Lack of transparency by Settlor and Trustees
- Diverse expectations and needs
 - Current and future
 - Minors and unborn = *Children's Lawyer*
- Focus often on “busting the trust”
- **Our Role** = Facilitate embracing the Trust structure

Some Technical Challenges

The Three 21 Year Horsemen

- 21 Year Deemed Disposition rule
 - Need flexibility to engage in appropriate transactions and ultimately make capital distributions
 - BUT consider implications when trust established – role the trust forward 21 years...which beneficiaries will be ready
 - Understand this is a Tax event **NOT** a Terminating event BUT may lead to trust termination
 - May be a “*momentous decision*”
 - What are the risks and how can they be managed
- *Accumulations Act* – are the beneficiaries ready for the income
- Perpetuity Rule
- **Best practice**
 - Diarize the 21 year tax event several years out as it may take time to engage in an appropriate decision making process to address its implications
 - Consider the implications of having to pay out all income earned on assets – is that going to be appropriate for the particular beneficiaries

Some Technical Challenges Paying Bills

- Professional Service Providers to the Trust/Trustees
 - Payment of fees for the creation of the trust versus after its creation
- **Best practice**
 - Opening separate accounts with professionals
 - Payments to trust account to pay bills

Some Technical Challenges Record Keeping and Compliance

- Form of written resolutions
- Accounting records
- Settlement property
 - Separate from ultimate trust property or used to acquire trust property
- Trust reporting rules for tax purposes – may need advice
- **Best practice**
 - Document all decisions following receipt of advice
 - Do annual distribution resolutions
 - Keep up to date accounting records
 - Store the settlement property securely for the tenure of the trust



The Role of Trustee

▼ Powers, Rights and Duties of Trustees

- What should we expect of Trustees
 - Legal
 - Human – Be a Steward of Wealth
 - Ultimate – Prepare the Beneficiary to Assume Control

▼ What is Expected of a Trustee Day to Day Responsibilities of Trustees

- Manage and administer trust property e.g. investment decisions
- Keep records of actions, e.g. accounts
- Attend to compliance, e.g. tax returns
- Stay informed and appropriately advised
- Appropriately communicate with beneficiaries

▼ What is Expected of a Trustee Duties

- Duty of reasonable care
- Duty of loyalty – avoid COI subject to trust
- Duty to act personally
- Duty to maintain an even hand
- Duty to account to beneficiaries

▼ What Can a Trustee Do

Powers of Trustees

- By the Trust Document v. At Law
- Trustees act unanimously; subject to trust terms
 - Disagreement
 - Certain court proceedings are available
 - Resignation or removal
- Two kinds of powers
 - Mandatory powers = Investment power = “prudent investor”
 - Discretionary powers = What is the scope? Meaning of “absolute”

▼ What Can a Trustee Expect Rights of Trustees

- Ask for Information from the Beneficiary?
- Obtain Advice – risk management action
- Incur Reasonable Expenses
- Compensation
- Release
- Indemnification
- All are impacted by Trust Document, Agreements, Law

Consequences for Failing Duties

- Personal liability for losses
- Potential lawsuits
- Compensation for losses
- Removal from position
- Financial penalties



The Role of Beneficiary

▼ What Can a Beneficiary Expect Rights of Beneficiaries

- Be informed
- Accounting
- Discretionary Trust
 - “To be Considered”
 - Requesting a Discretionary Distribution
 - The Process
 - The Analysis
 - Potential Challenges
- Mandatory Trust – To Receive Property
- How does a Beneficiary exercise their rights

▼ What Should we Expect of Beneficiaries Roles/Responsibilities

- Understand the purpose of the Trust
- Learn about Trustee responsibilities
- Assess performance of Trustees e.g. if each Trustee represents all beneficiaries
- Meet with Trustees
- Learn about the overall governance
- Attend meetings, including educational meetings
- Learn about Trustee accounting
- Willingness to be educated eg. financial literacy
- Learn about compensation of Trustees/advisors
- Ultimate Role of a Beneficiary – Be Prepared to Assume Ownership and full Control



Best Practices

▼ Best Practices for Trustees

The Technical

- Understand duties and powers and the process to exercise them
- Be aware of the original and current purpose of the Trust
 - Guide decisions by these purposes
- Seek professional advice
- Keep accurate and detailed records/accounts
- Act prudently/reasonably and loyally
- Avoid conflicts of interest
- Implement the trusts general policies and procedures re:
 - Investment goals and acceptable risks
 - Selection and/or provision of investment advice and management to meet the goals within the risks
 - Tax position and selection of tax services
 - Legal position and selection of legal services

▼ Best Practices for Trustees

The Practical

- Resist client demands
- Engage with beneficiaries
- Ensure the financial education of the beneficiaries is carried out effectively to increase financial literacy if lacking
- Communicate with beneficiaries regularly to obtain personal and financial information
- Educate self about beneficiary rights and roles
- Ask for help/guidance before the Trust is established and during its administration
- Don't hesitate to ask to be paid



Conclusion

Conclusion

- Trusts continue to be a key tool in planning for family human and financial capital
- Trustees play a critical role in the effective management of trusts
- The role of a Trustee is dynamic and multifaceted
- Requires financial acumen, technological proficiency, solid interpersonal skills and patience
- Adapting to changes ensures effective trust management and long-term success



Q & A

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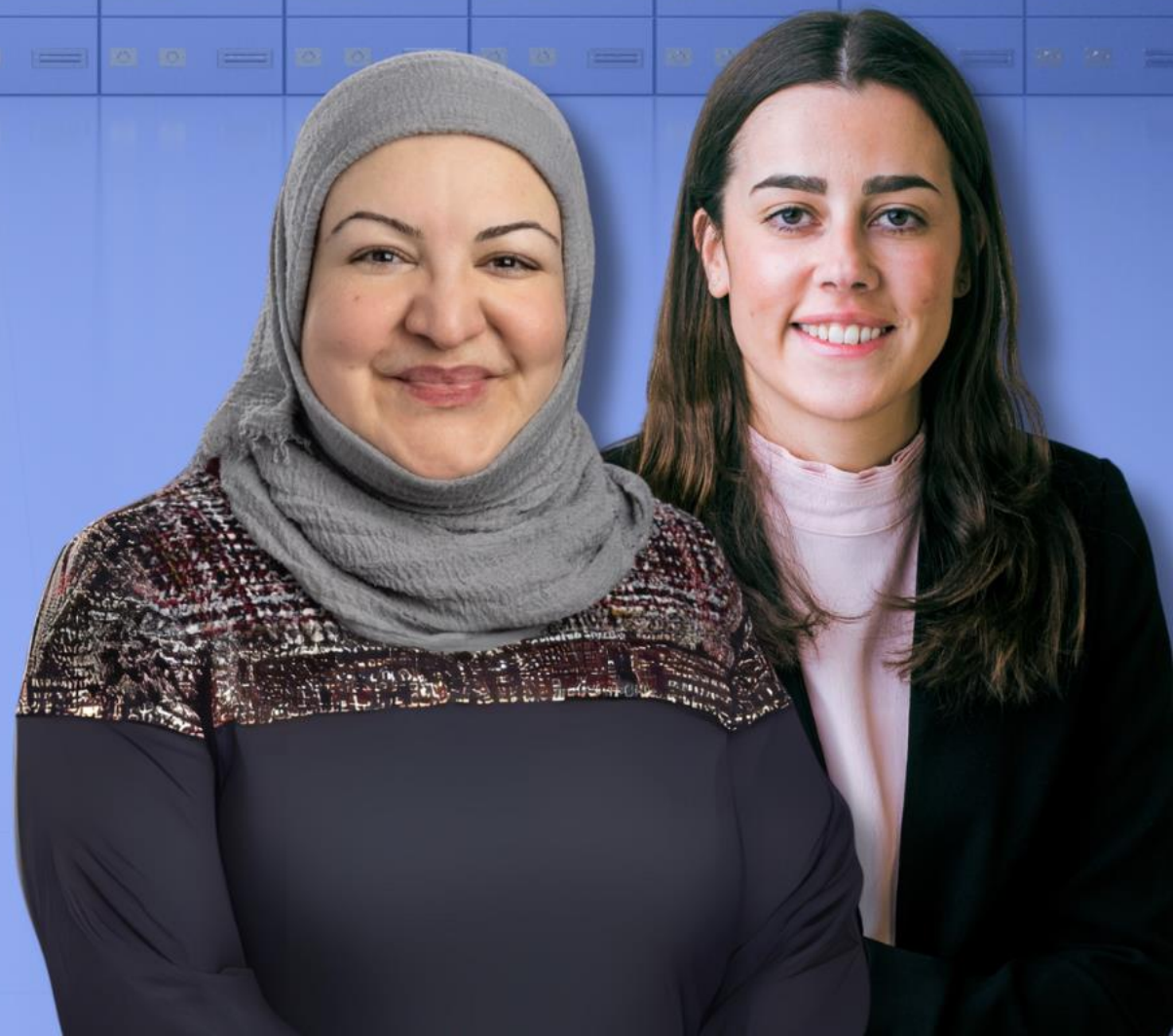
Session 3

CFA Institute's Private Wealth Offerings

JULAN AL-YASSIN, CFA

Director of Learning Content Development, Professional
Learning Division, CFA Institute

Q&A MODERATED BY BANA KHOURY, CFA, Member,
Private Wealth Management Committee, CFA Society
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CFA Institute

CFA Institute's Private Wealth Offerings

A Pathway to Expertise



**CFA Society
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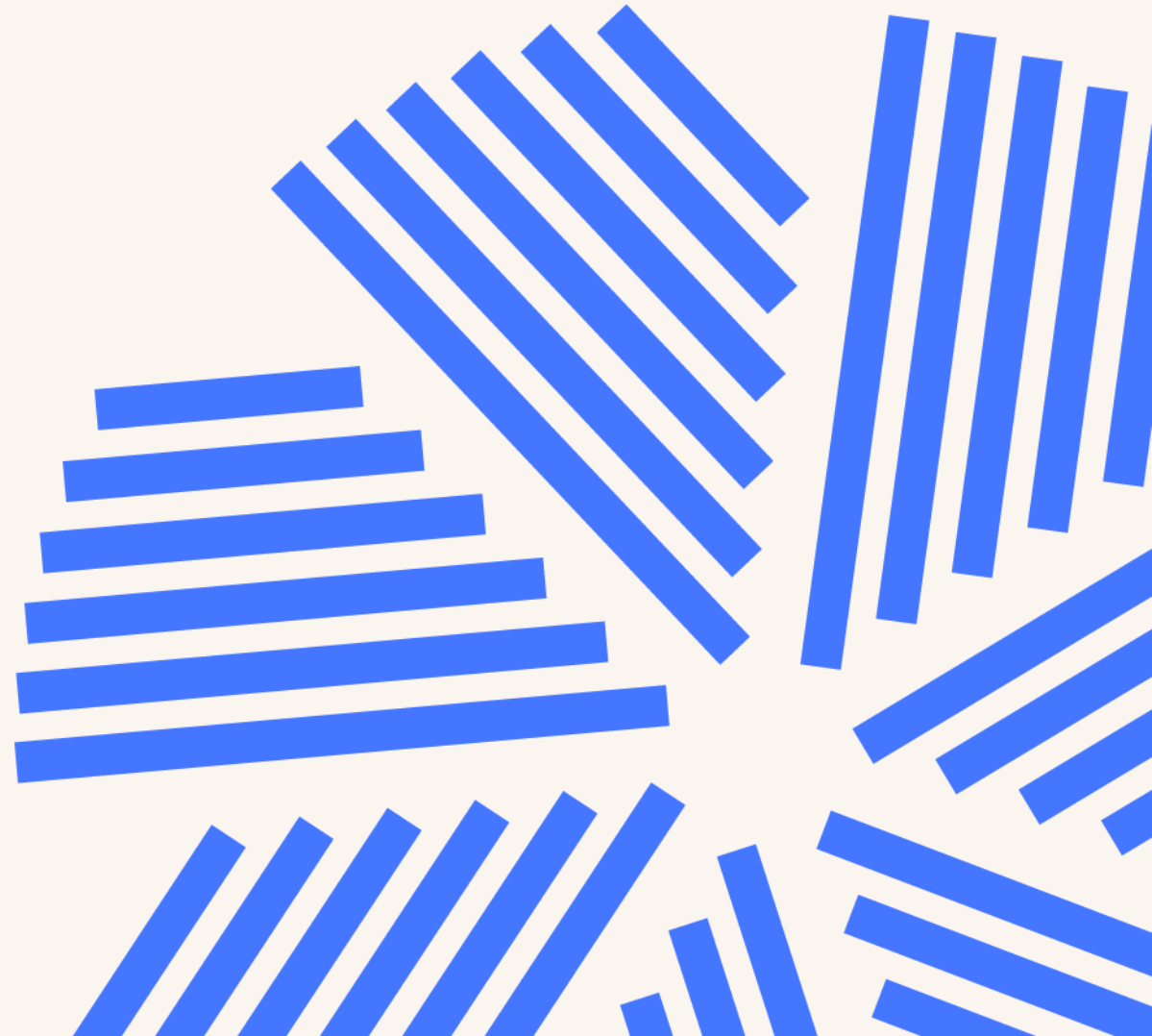
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Toronto, May 14, 2025

Julan Al-Yassin, CFA
Director, Learning Content
CFA Institute

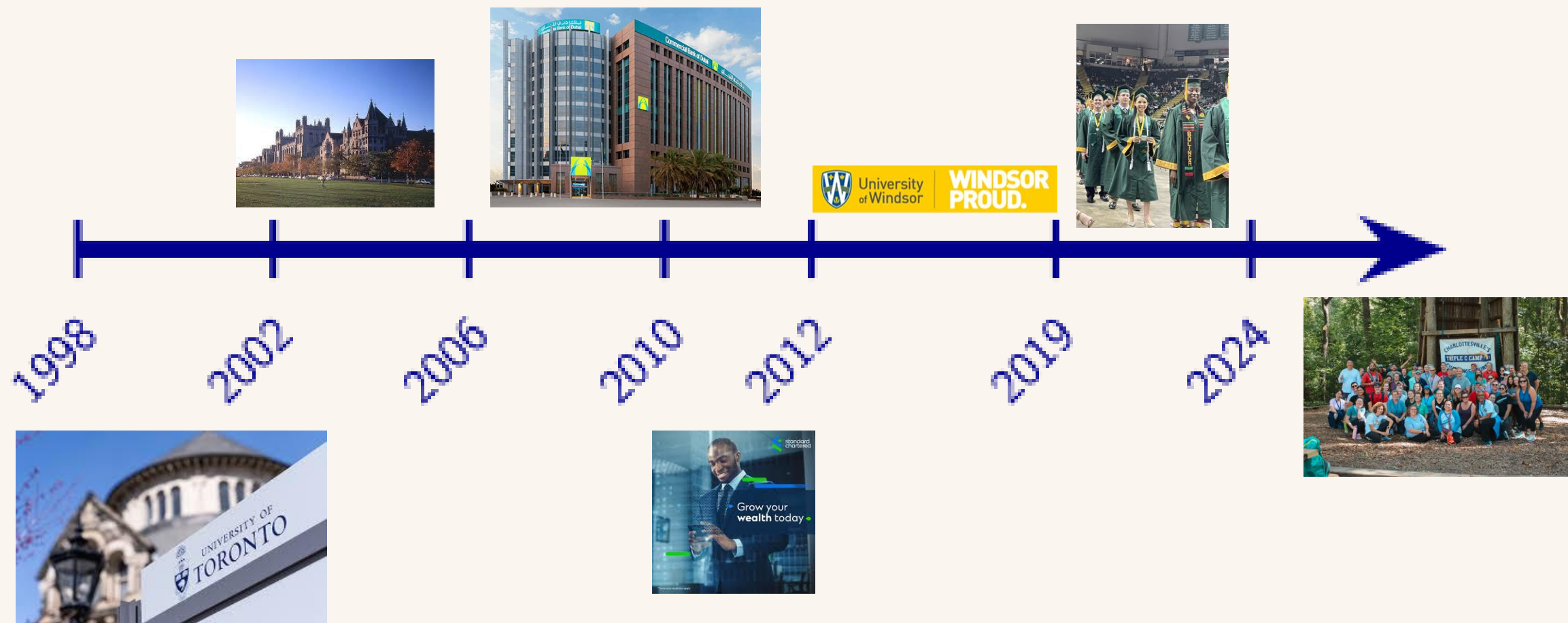
Agenda

Welcome & Introduction	3
CFA Institute's Offerings in Private Wealth	6
Emerging Trends in Private Wealth Management	14
A Message from Marg & Key Takeaways	22

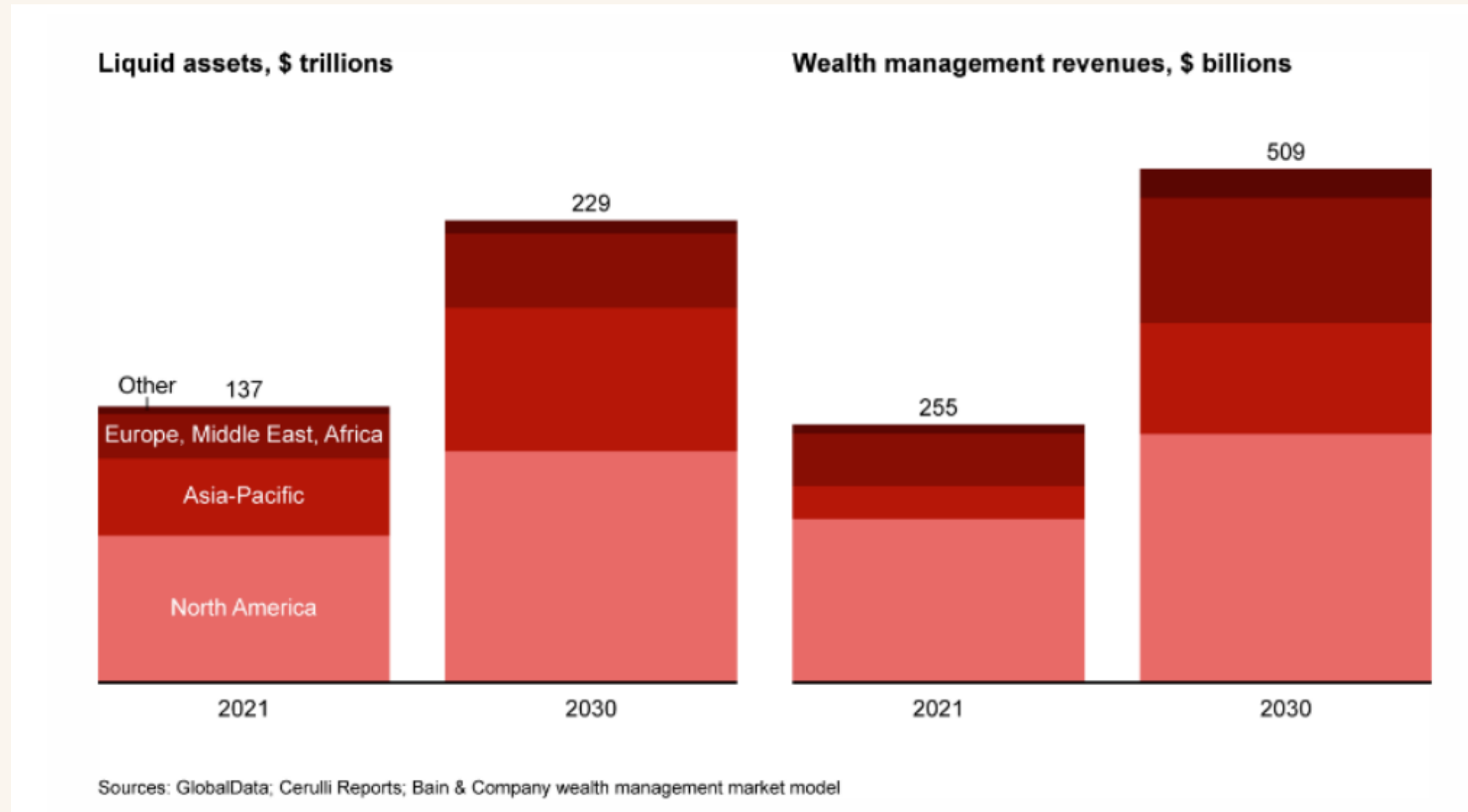
Welcome and Introduction



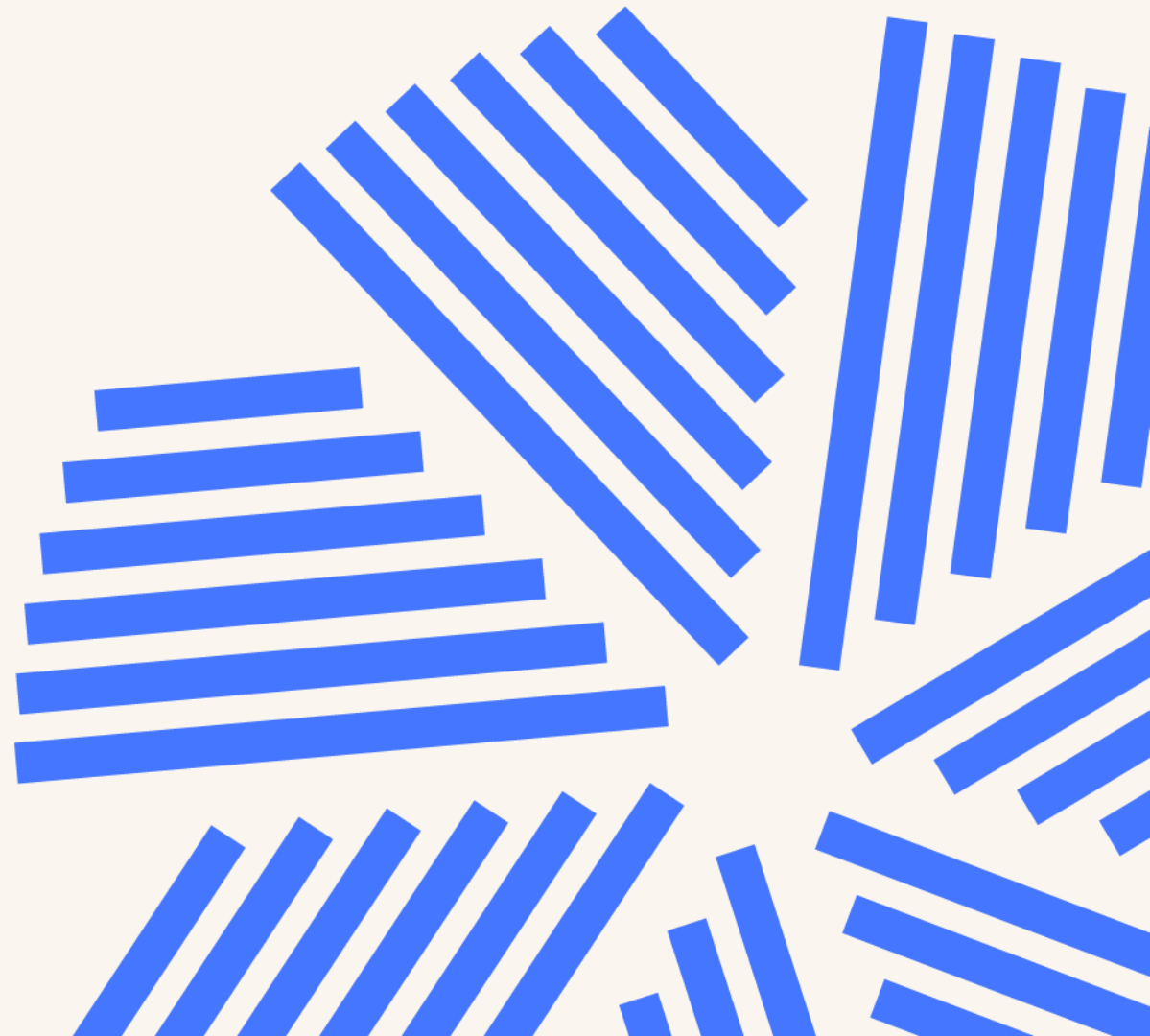
About me



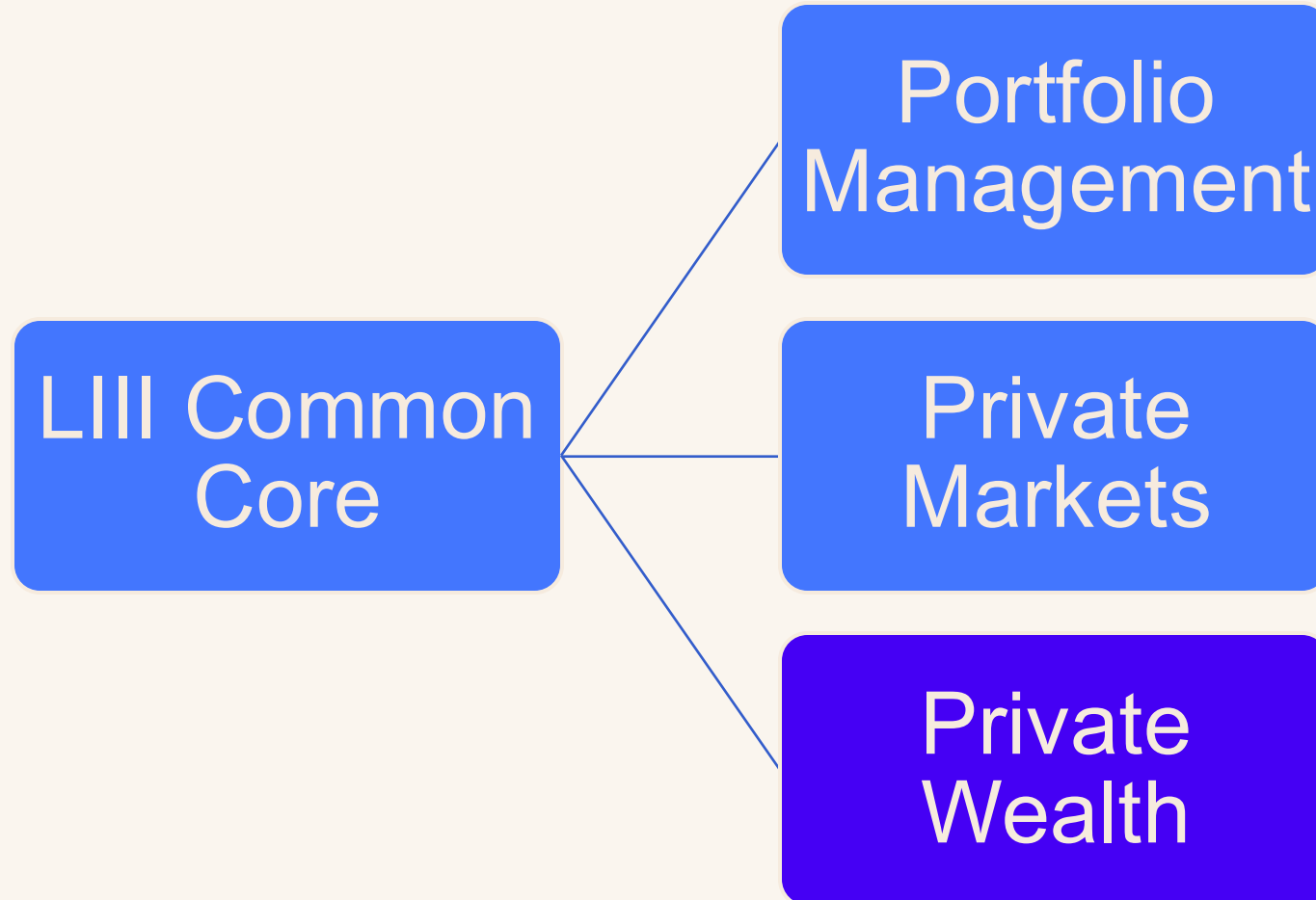
Global Wealth is growing



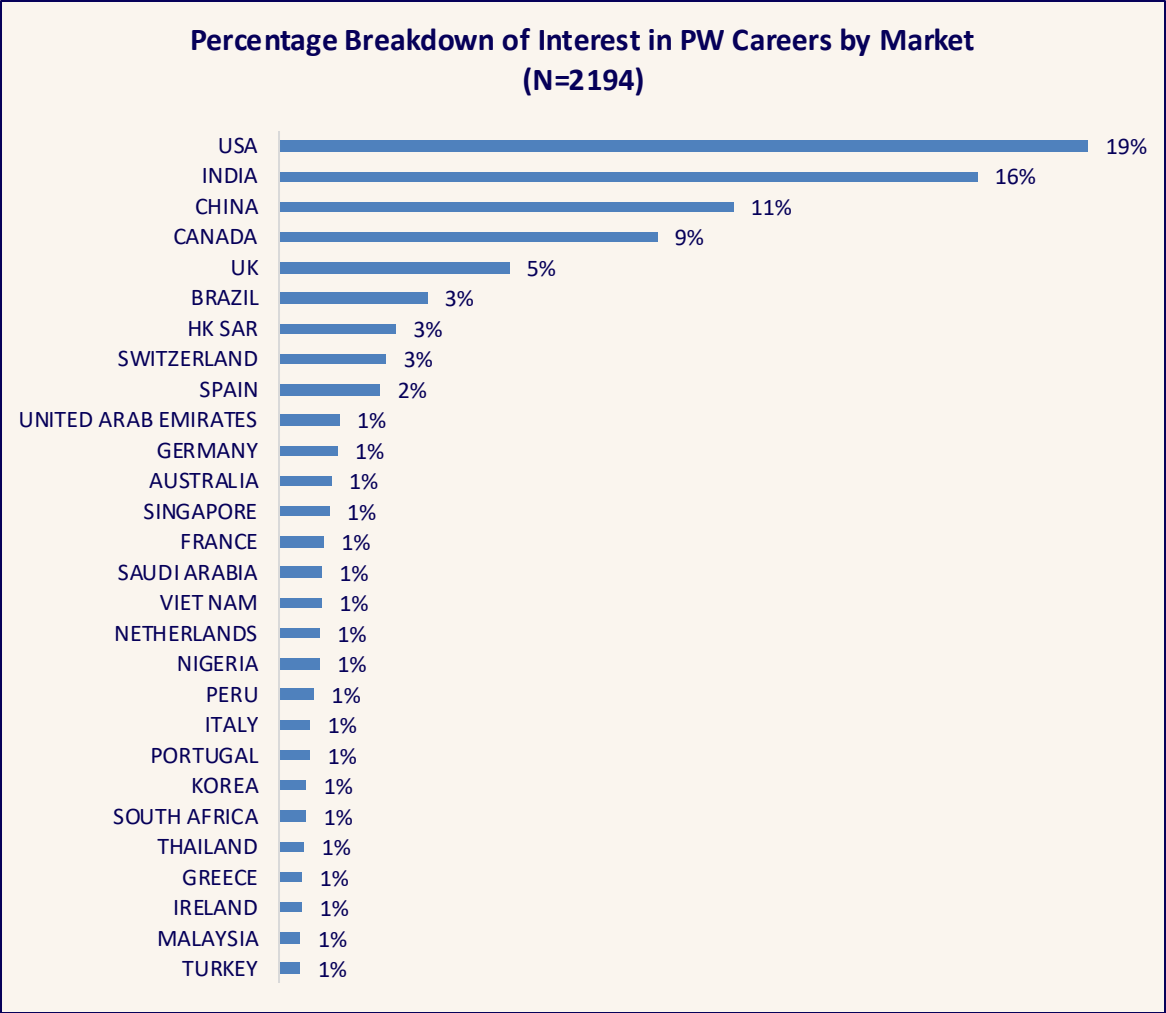
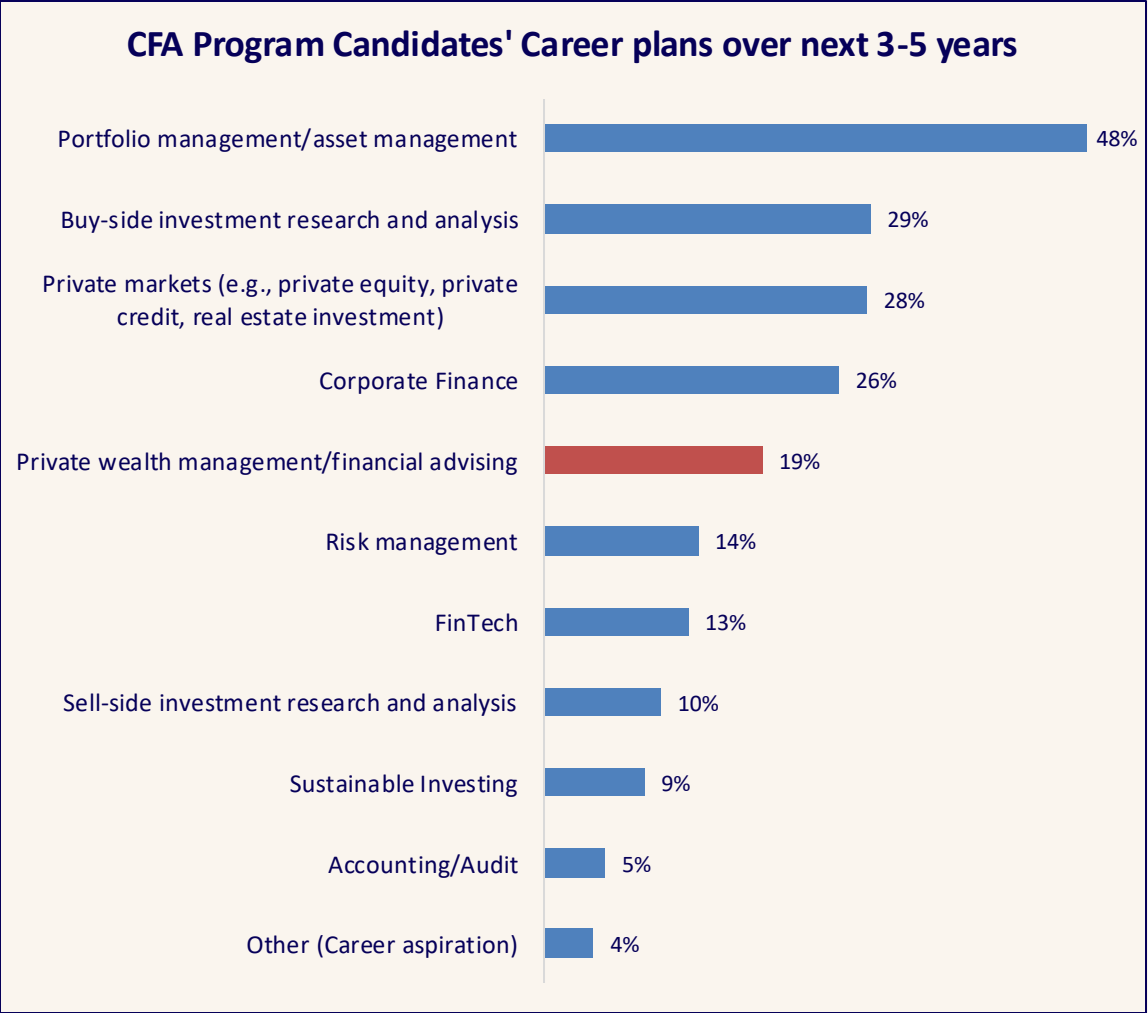
CFA Institute's Offerings in Private Wealth



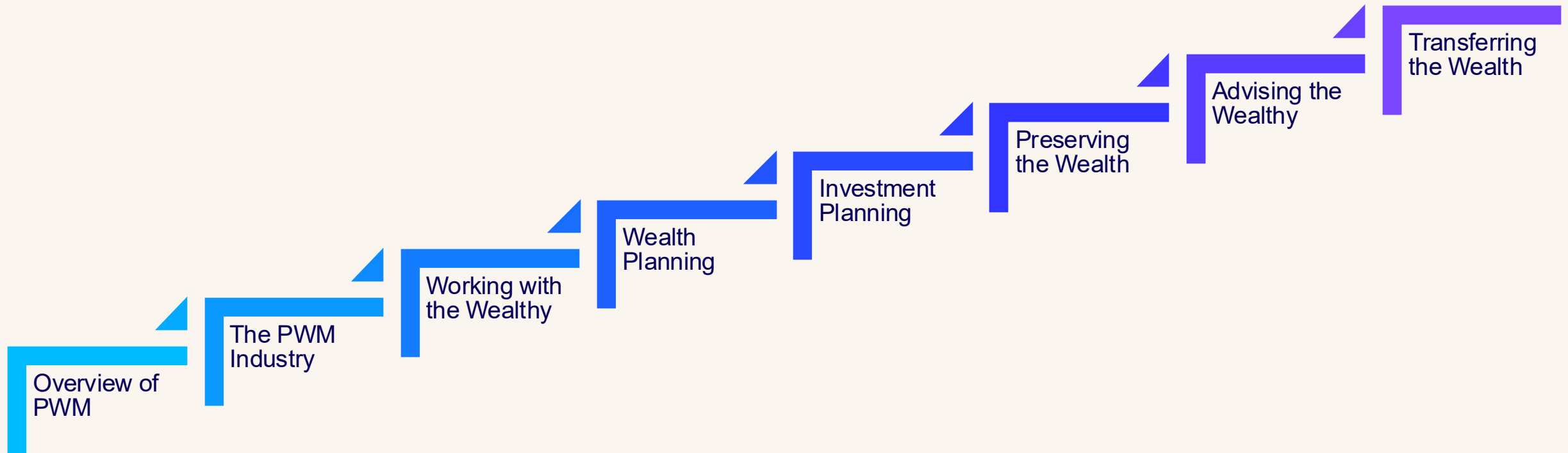
The 2025 CFA LIII Pathways



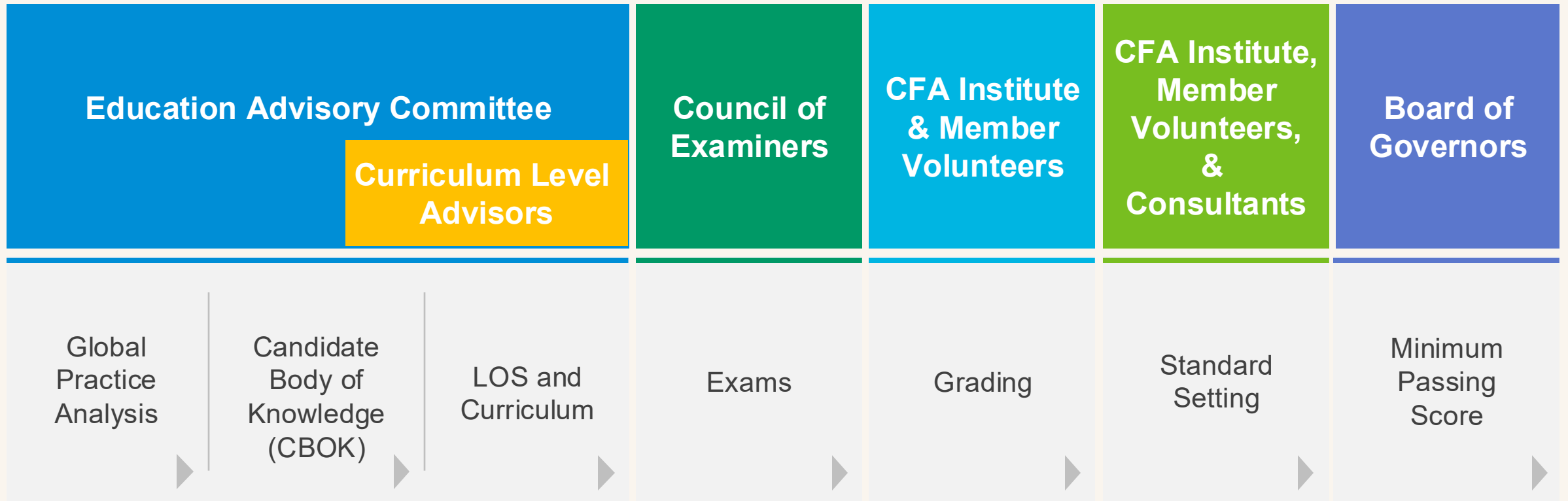
Interest in PWM as a Career Path



The Private Wealth Pathway

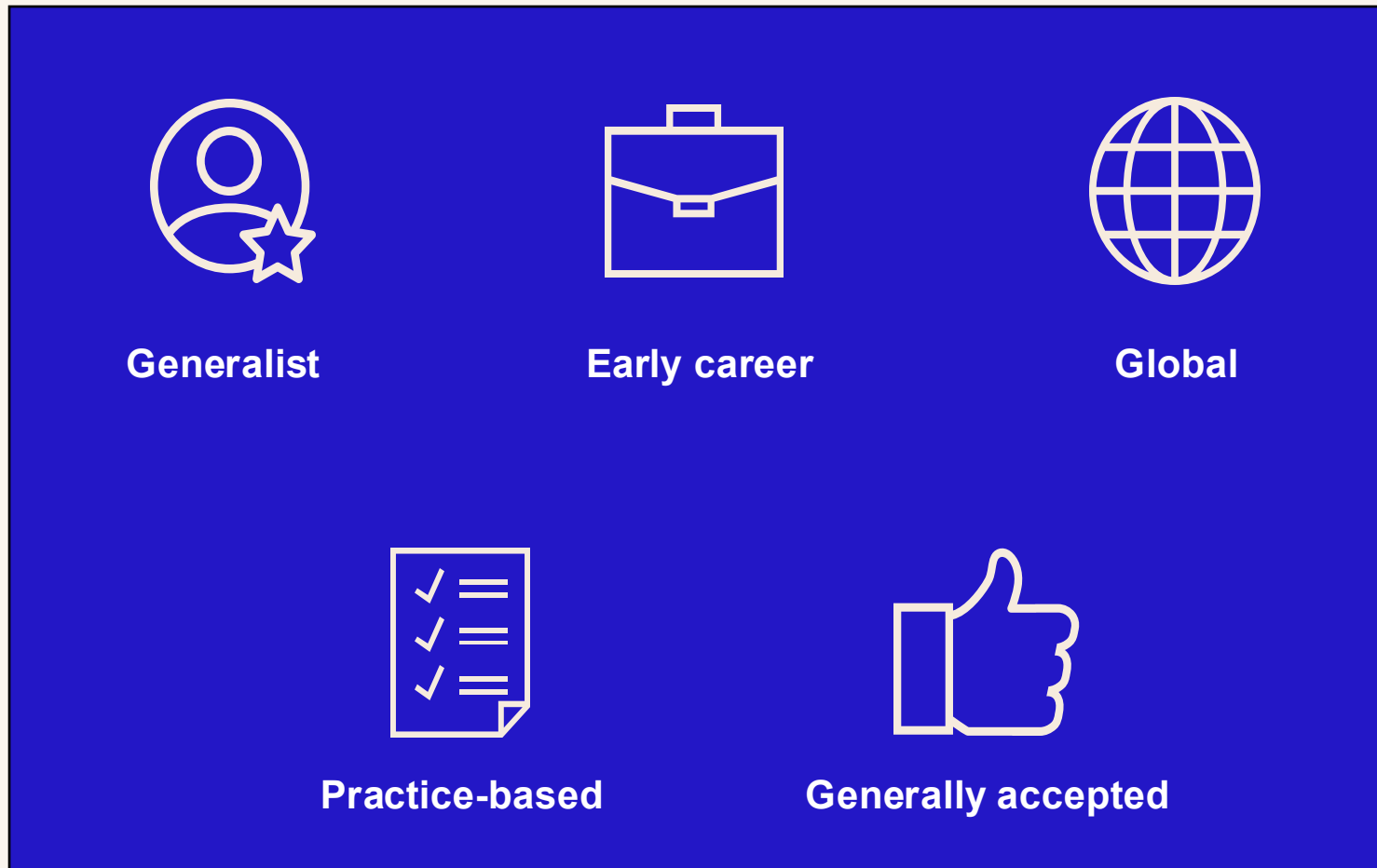


CFA Program process 2025



Investment Practitioner Insights and Feedback

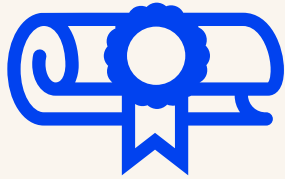
Criteria for the CBOK



More Ways to Learn



Practical
Skills
Modules



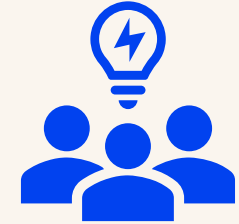
Certificates



Thought
Leadership



Webinars,
Blog posts,
Podcasts



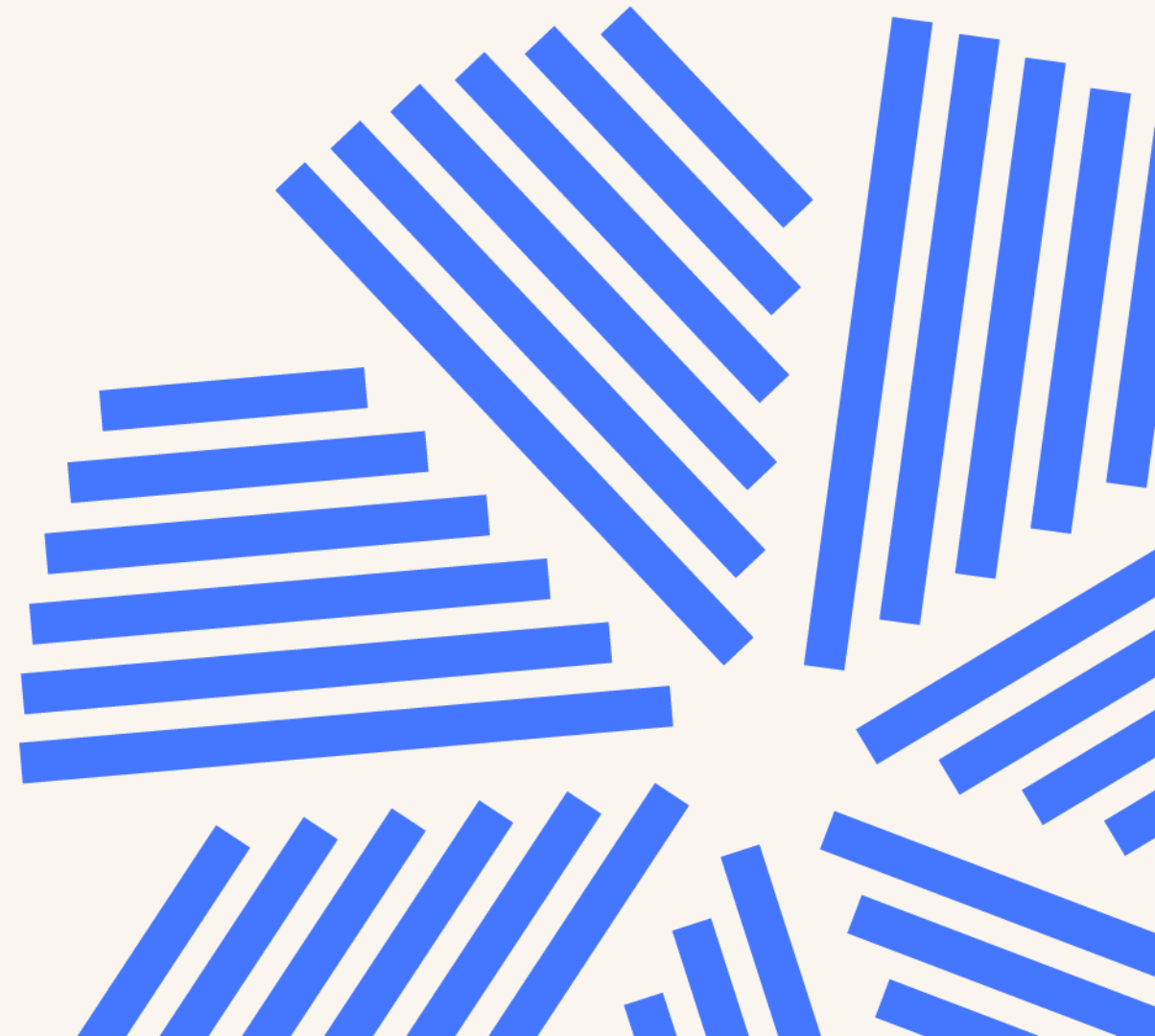
In-person
Events

Audience Question

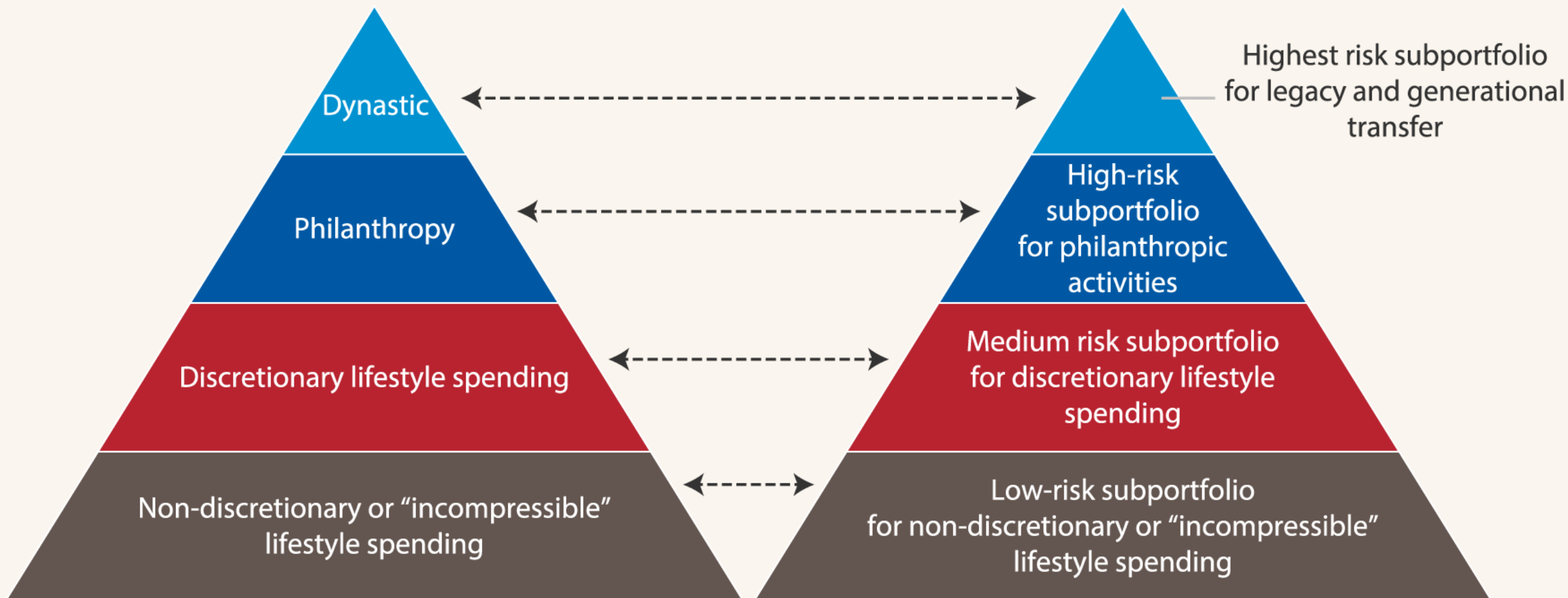
How many of you have ever used a CFA Institute resource, like a webinar, article, or module, for private wealth learning?



Emerging Trends in Private Wealth Management



Private Wealth is Evolving



Audience Question

What do you think is the most prominent trend defining the evolution of PWM?

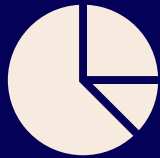




What do you think is the most prominent trend defining the evolution of PWM?

Trend 1: Private Markets and Alternative Investments for HNW and UHNW Clients

Why



- Search for yield
- Portfolio diversification
- Access to illiquidity premiums

How



- Evergreen and semi-liquid funds
- Fractional ownership and feeder funds
- Digital platforms

WM Role



- Evaluate appropriate products
- Clearly communicate risks/returns
- Educate clients

Trend 2: Shifting Client Expectations

Transparency & Trust

- Clients expect more clarity around fees, processes, and product recommendations
- Fiduciary standards and values alignment are rising priorities

Women & Wealth

- Women are inheriting and controlling more wealth globally
- Women often seek a more collaborative, evidence-based, goal-oriented advisory relationship

Intergenerational Wealth Transfer

- Significant shifts in control of assets from Boomers to Gen X/Y/Z
- Need for family-based planning, legacy discussions, and values-based advice

Trend 3: Technology and AI

AI = Efficient Personalization

Portfolio Analytics

Predictions and scenario-modelling

Hyper-personalized interactions

DeFi = Transparency

Streamlined back-office

Secure reporting

Tokenization

Enhanced Client Experience

Simplified onboarding

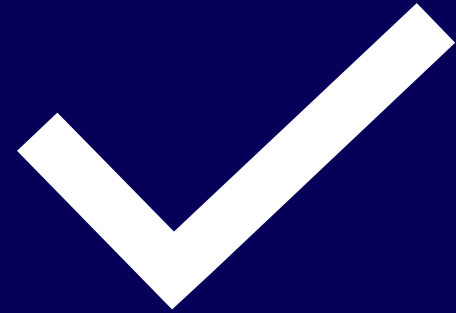
Enhanced comm.

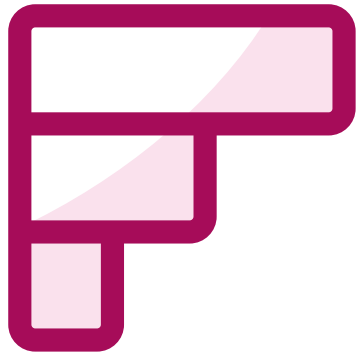
360° client view

Audience Question

Where do you see the biggest opportunity for tech to support your practice?

- Streamlining reporting & operations
- Enhancing client communication
- Portfolio construction & rebalancing tools
- Personalized content delivery

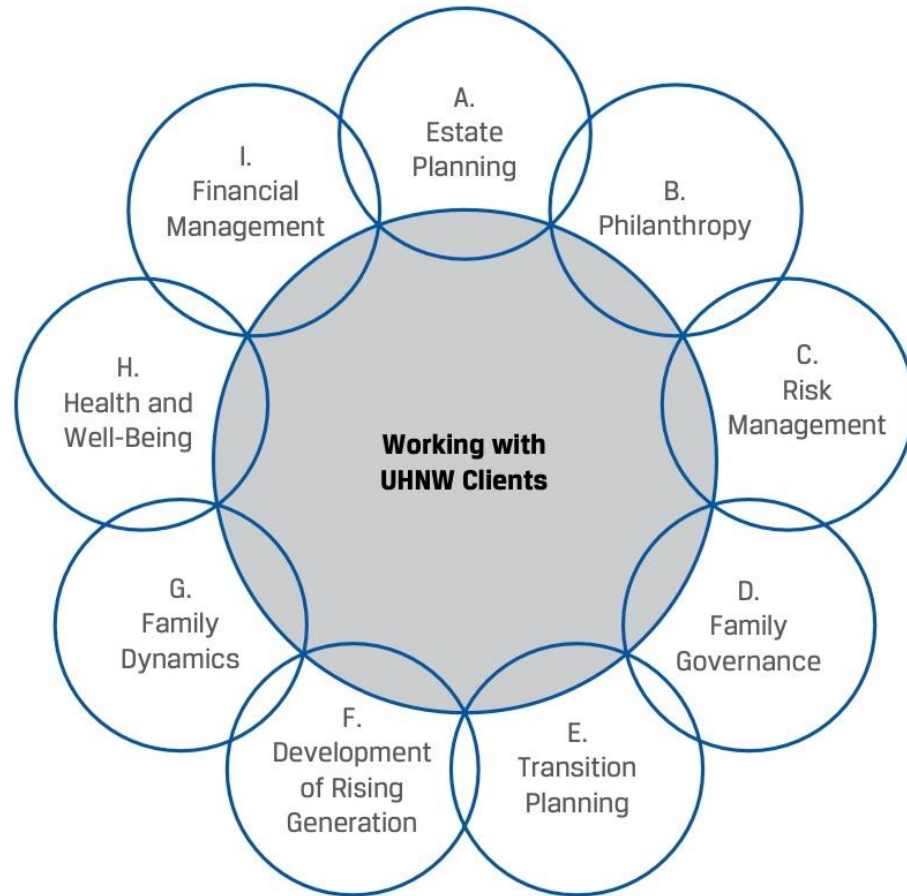




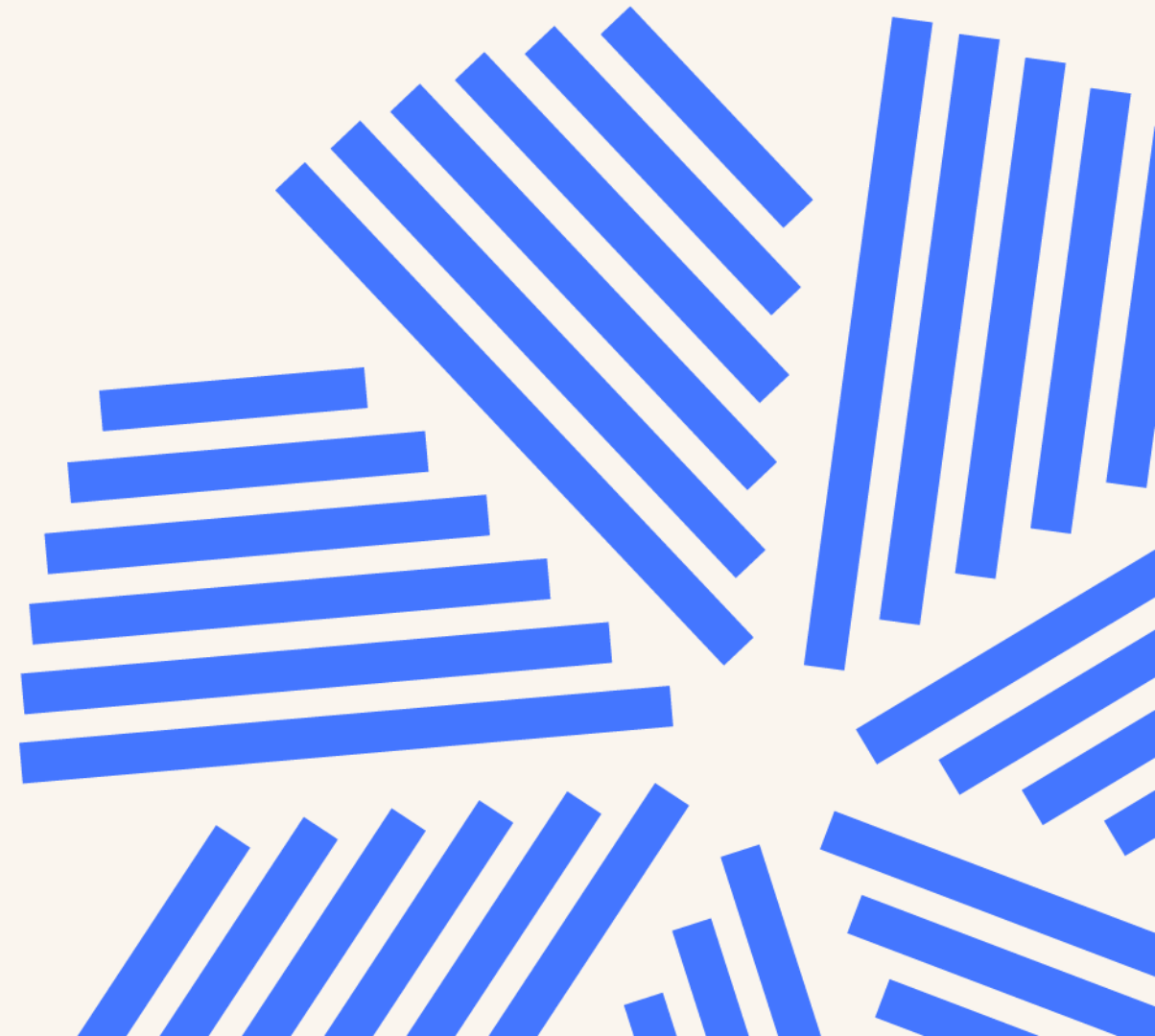
Where do you see the biggest opportunity for tech to support your practice?

Advisors Need to Evolve, Too

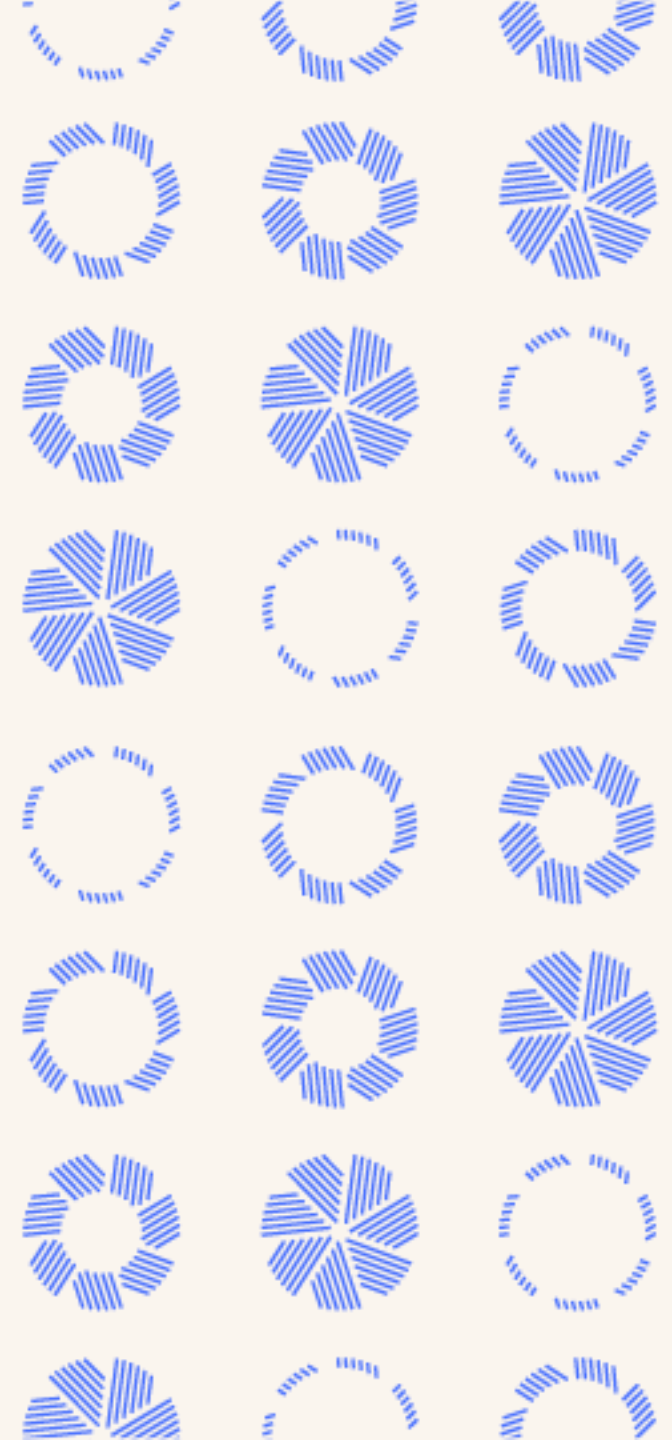
Exhibit 15: Domains of Wealth Management for UHNW Clients



A Message from Marg & Key Takeaways



A Message from our CEO, Marg Franklin, CFA



What I Hope You'll Take Away



PWM is
changing, and
so is your role



The CFAI is
here to
support
YOU



We need to
encourage
more diverse
voices

Stay Connected

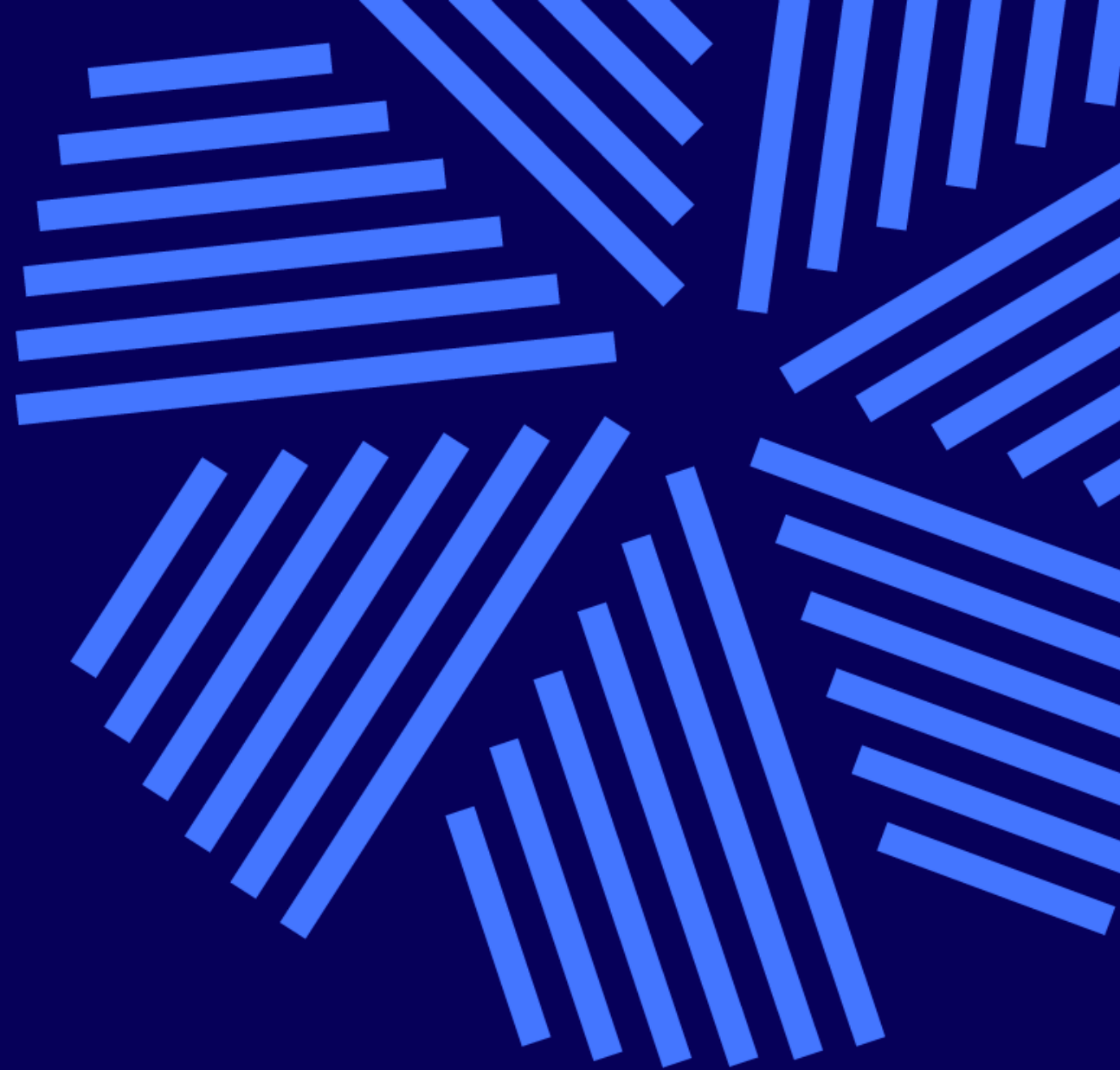
Add me on
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The Level 3
Pathways



Thank you



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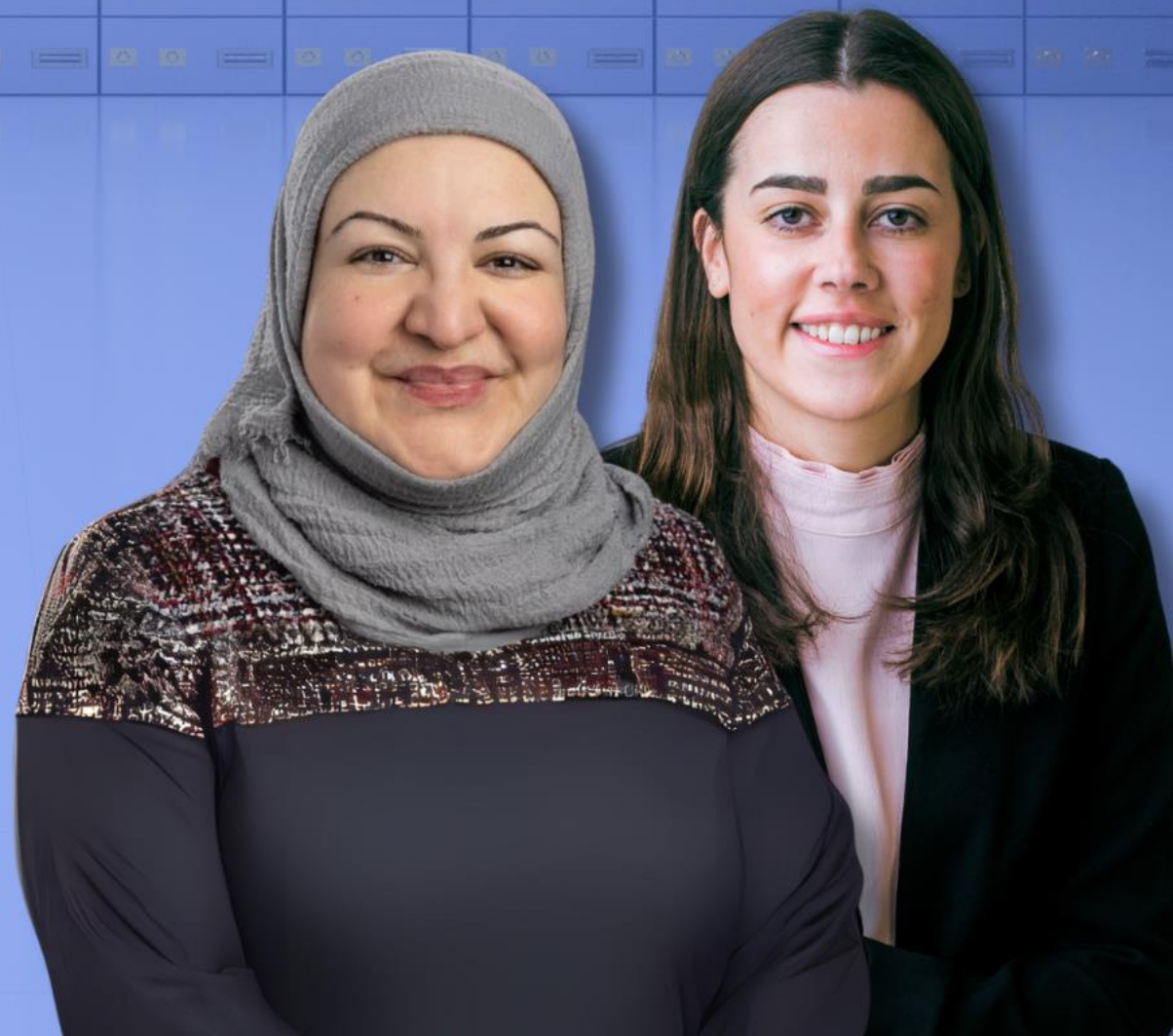
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Session 4

How to Conduct Due Diligence on Investment Solutions in the Private Market

SUBIN MANICKATH, CFA, Senior Analyst, Alternative Investments, TD Wealth

TOM JOHNSTON, Canadian Market Head, iCapital Network

APOORVA PANDE, CFA, CAIA, VP, Global Manager Research, RBC Wealth Management

MODERATED BY WANTING ZHAO CFA, Investment Counsellor, RBC PH&N Investment Counsel



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Keynote Session

Unlocking the Power of Neurodiversity

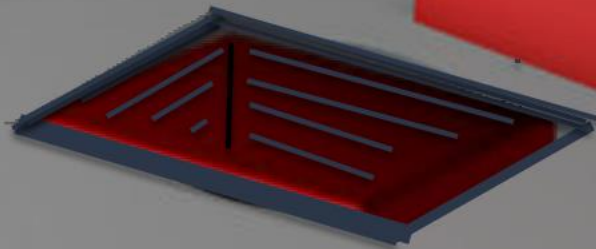
MAUREEN DUNNE, PHD.

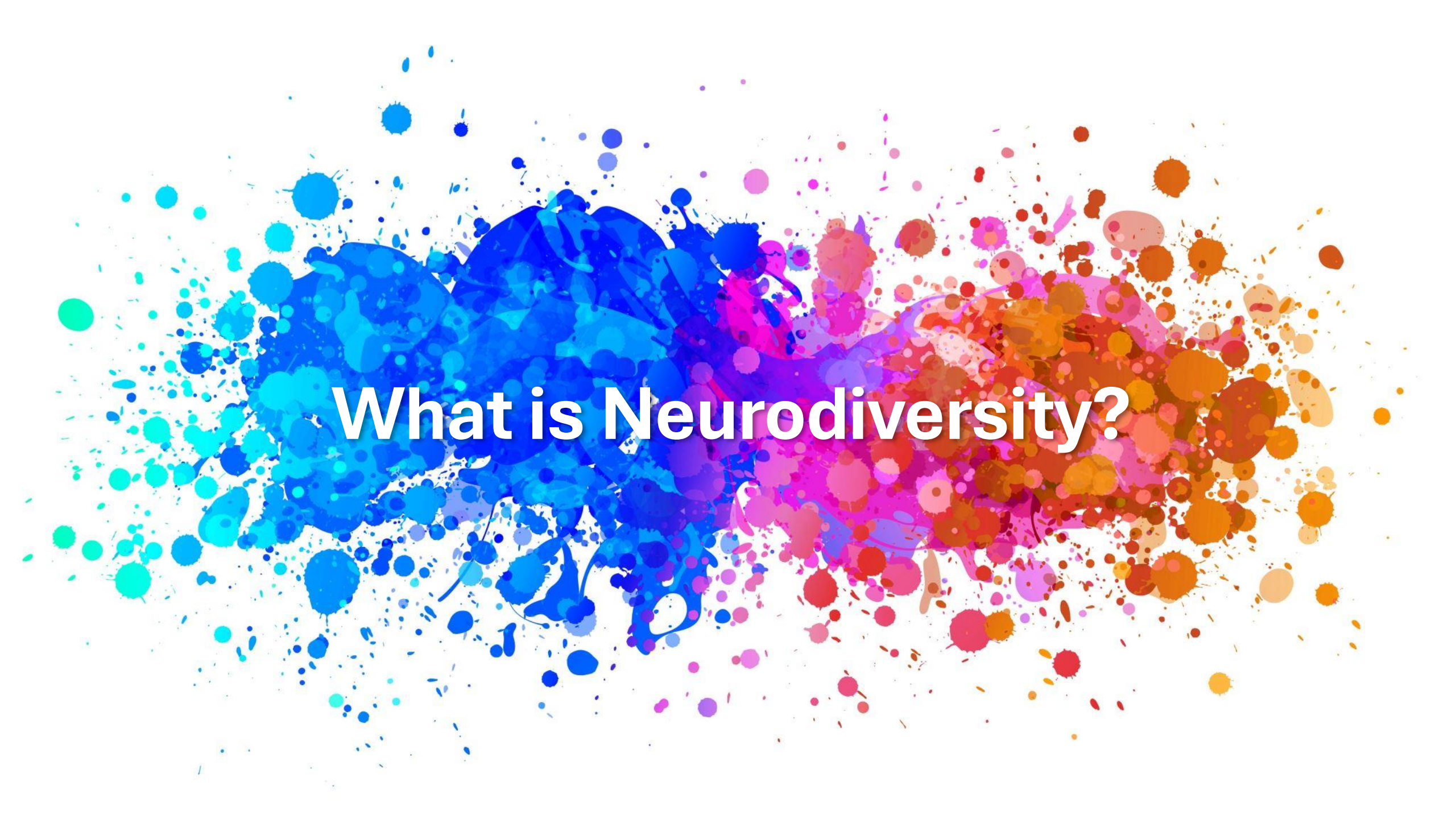
Cognitive Scientist and Neurodiversity Expert, Author of the National Bestseller, *The Neurodiversity Edge: The Essential Guide to Embracing Autism*.

Q&A MODERATED BY RANDY GUNN, CFA, VP,
Portfolio Manager, BULLWEALTH

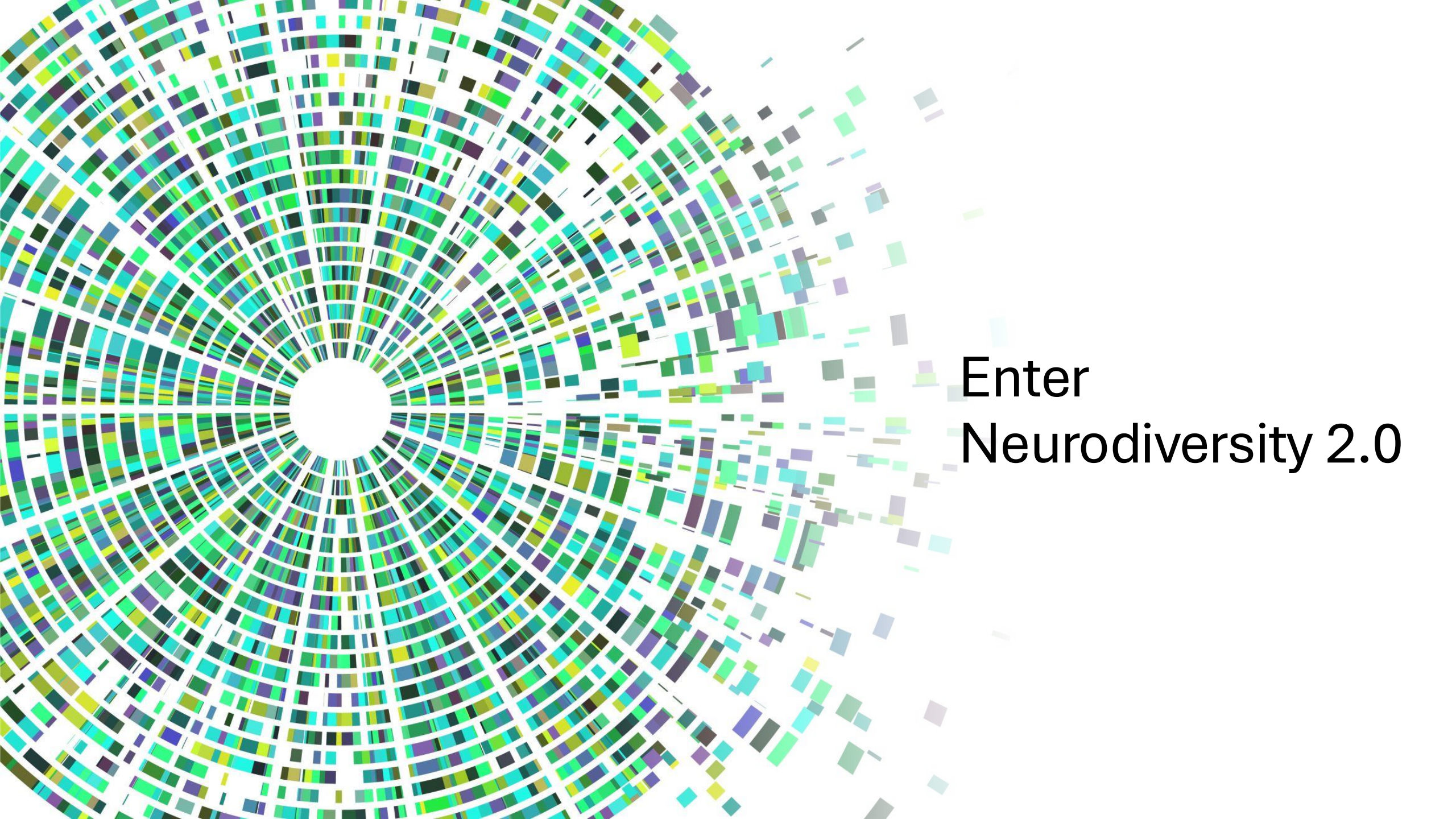








What is Neurodiversity?



Enter
Neurodiversity 2.0

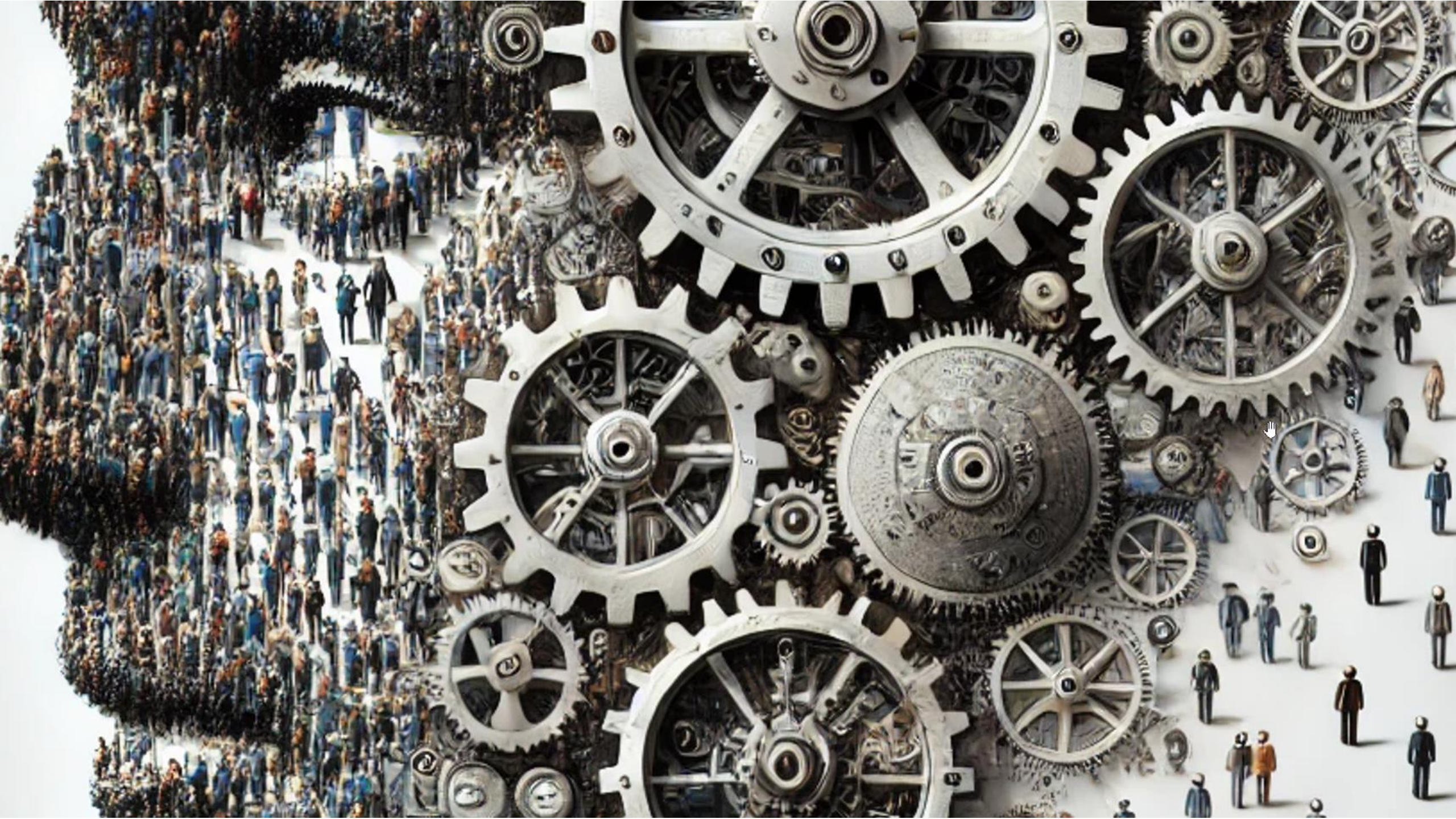


Bees and the Waggle Dance

The Hive system optimizes when some are “divergent bees” that chart their own course.

Neurodiversification > Culture Fit





Strengths

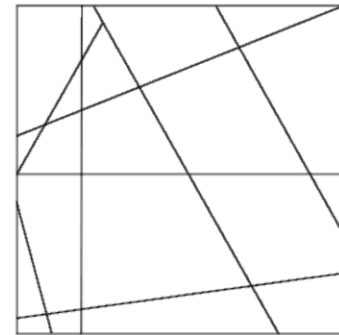
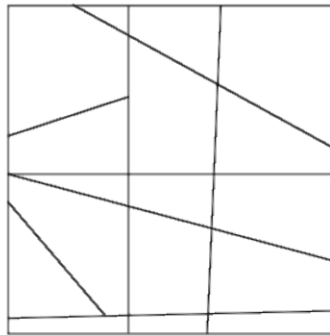
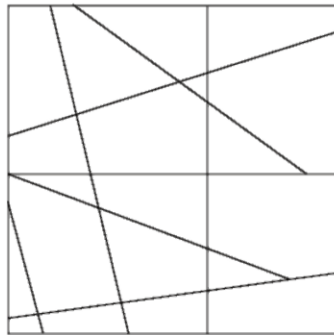
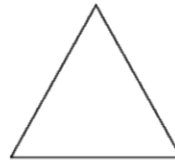
- Intense Focus
- Direct & Honest
- Strong Visual Thinking
- Pattern Detection & Thinking Outside of the Box
- Bottom-Up Processing: The Trees Create the

Barriers

- Restricted Interests
- Missed Social Cues
- Missed Verbal Info
- Not Following Implicit Social Rules
- Top Down Processing: The Forest Creates

Autism:
Thinking in
a
Different
Key

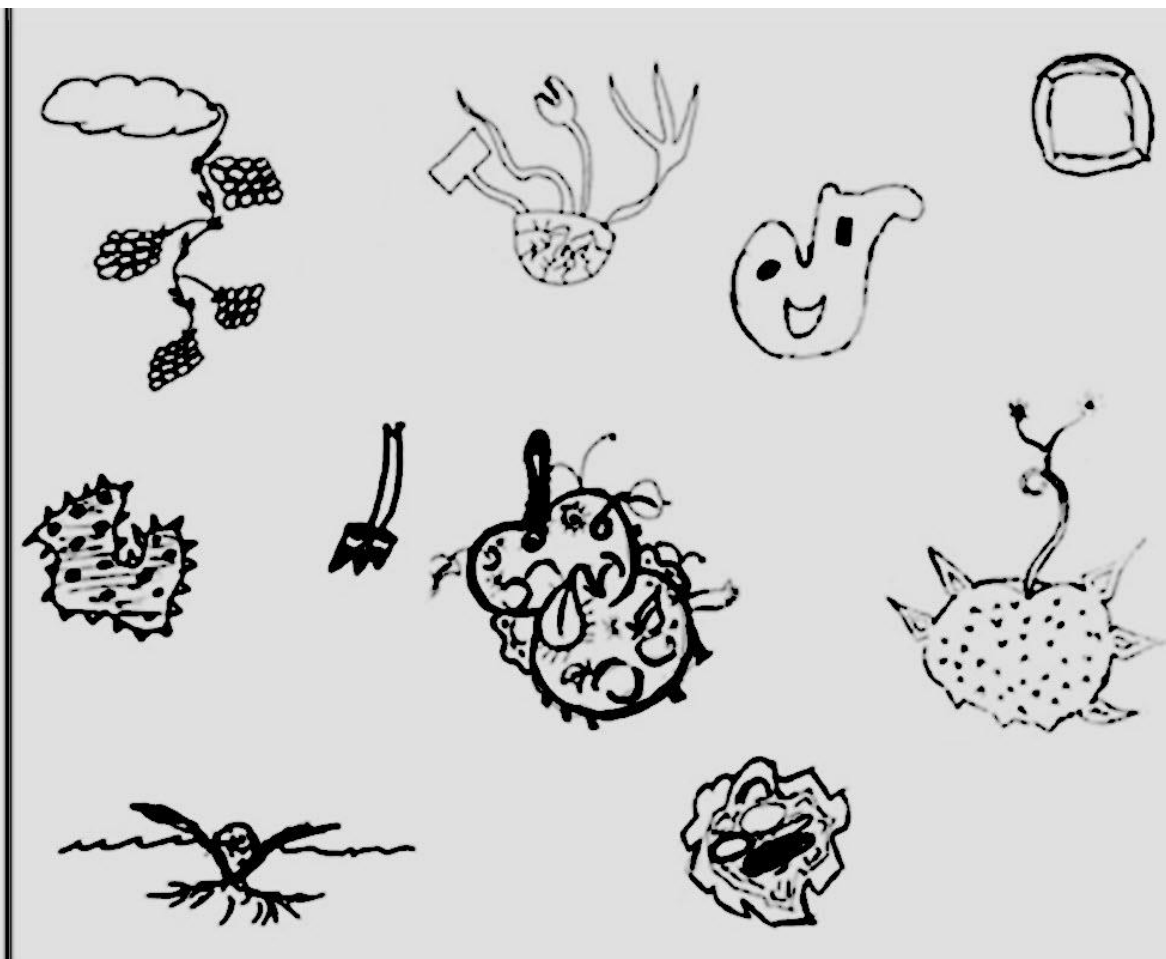
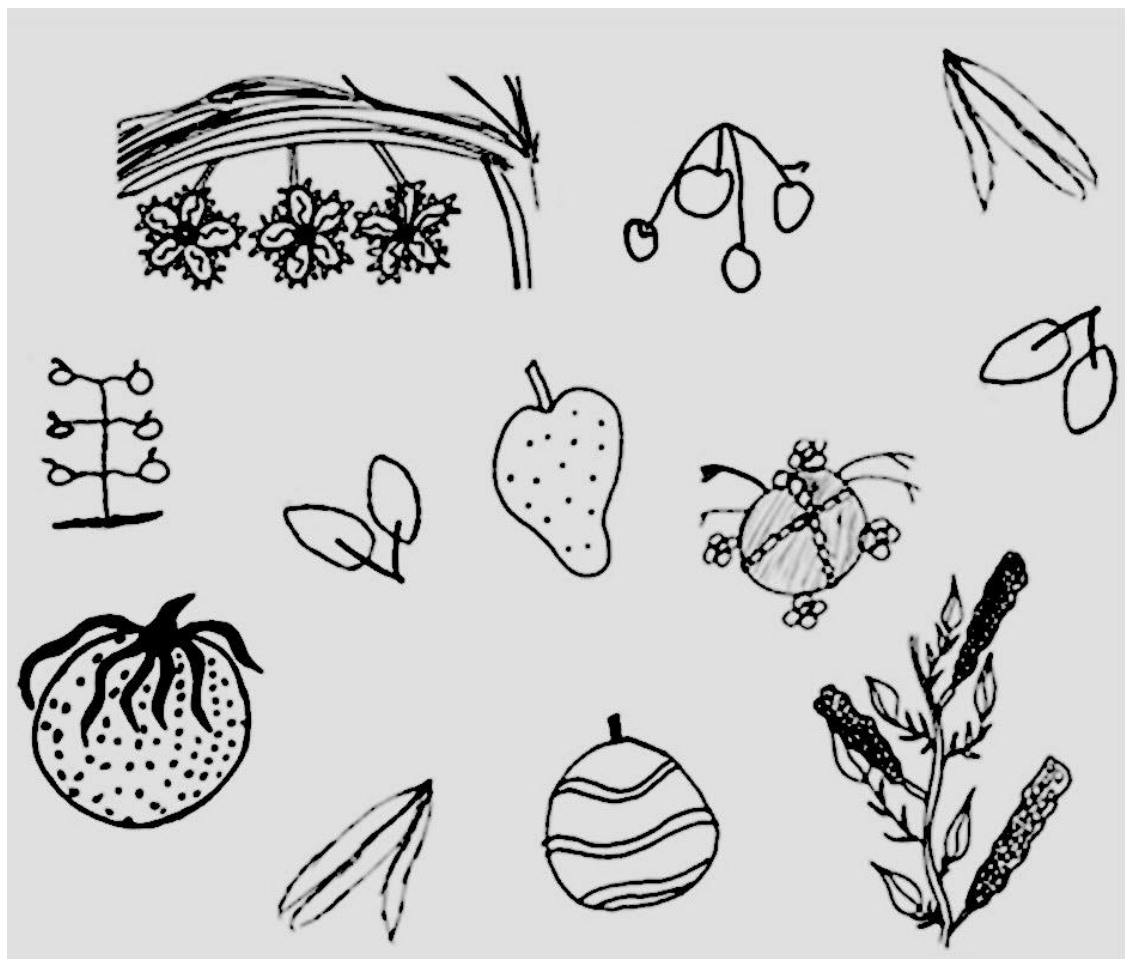
ASD Cognitive Advantage Example: Superior Pattern detection*



*Research shows that ASD people often perform superior on the embedded figures test

ADHD: Thinking Outside The Box

Strengths	Barriers
👉 Energetic 👉 Flashes of Insight 👉 Creative 👉 Good at Novel Tasks 👉 Compassionate 👉 Able to Hyperfocus 👉 Good Under Pressure	👉 Hyperactive 👉 Interrupts Frequently 👉 Bad at Tedious Tasks 👉 Impatient 👉 Disorganized 👉 Attentional Problems 👉 Impulsive



Dyslexia: Connecting the Dots

Strengths	Barriers
● Problem Solving Skills ● Creativity ● Conceptual Links ● Big-Picture Thinking ● Good Observers ● 3-D Thinking ● Empathy	● Difficulty with Reading ● Poor at Spelling ● Slow at Writing ● Mispronounce words ● Forget Names ● Math 'word problems' tough ● Struggle w/ Foreign Languages

Removing Barriers to building bridges to Neurodiversity 2.0



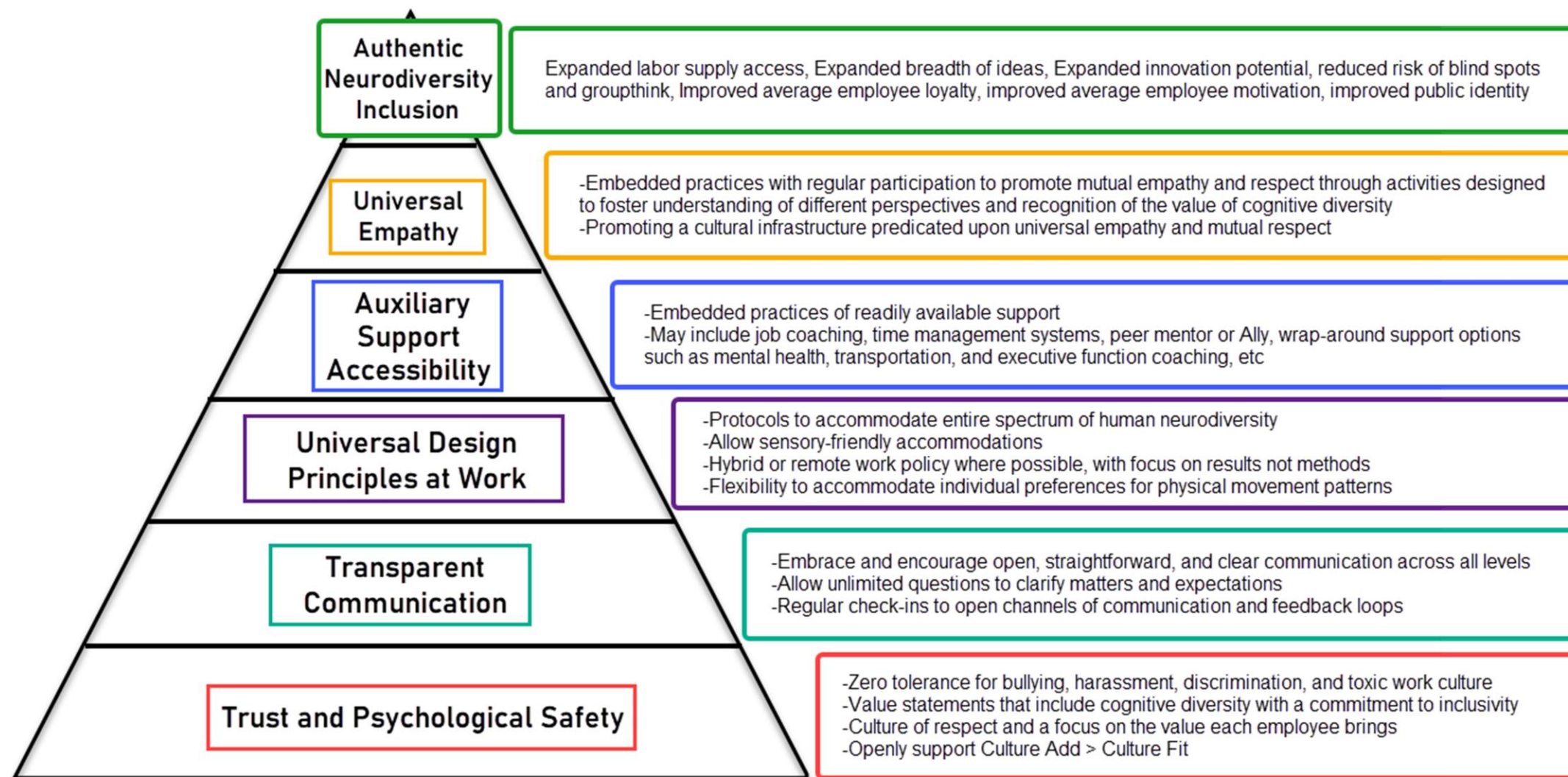


A 2020 study showed that **50%** of hiring managers in the UK admitted that they would not hire neurodivergent individuals.



Pyramid of Neuroinclusion

The Neurodiversity Edge (Dunne, 2024)



-

- 37% have not disclosed.

- A third (32%) of those who haven't disclosed don't want to be deemed less capable than their colleagues
 - 29% are concerned about being discriminated against
- A quarter (25%) don't believe that disclosing their will result in any improvements for them.

RESEARCH ARTICLE

Perspectives of key stakeholders on employment of autistic adults across the united states, australia, and sweden

Summary: Qualitative study on reported factors influencing hiring and firing decisions among the autistic relative to their neurotypical peers – drawn from focus groups in Australia, Sweden, and the United States.

Key Factors Driving Success Stories:

- The environment, including supports, relationships, attitudes, and services.
- Intervention targeting barriers.
- Active workplace facilitation/advocacy/allies.

Author: Melissa Black et (2019)





Empathy and Communication Bridges Across Neurotypes



Universal Empathy

- 1. How have we embedded practices within our organization to promote mutual empathy and respect among employees, and can you provide examples of these practices?
- 2. What specific activities have we implemented to foster an understanding of different perspectives and the value of cognitive diversity? How regularly are these activities conducted?
- 3. In what ways have we seen an impact from these empathy-promoting activities on our workplace culture and interpersonal relationships among employees?
- 4. How do we ensure that all employees, regardless of their role or level, participate in activities designed to enhance universal empathy and mutual respect?
- 5. Can employees share experiences where participation in these activities led to a deeper understanding or change in perspective regarding neurodiversity and cognitive differences?
- 6. How is the concept of universal empathy integrated into our leadership and management training programs?
- 7. What feedback mechanisms are in place for employees to share their thoughts on the effectiveness of empathy-promoting practices and suggest improvements?
- 8. How do we measure the success of our efforts to build a cultural infrastructure predicated upon universal empathy and mutual respect? What metrics or indicators do we use?

Universal Empathy

1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	

Nontraditional Interviews



Providing questions in advance



Interview processes that don't unintentionally screen for social skills



Game-based talent assessment

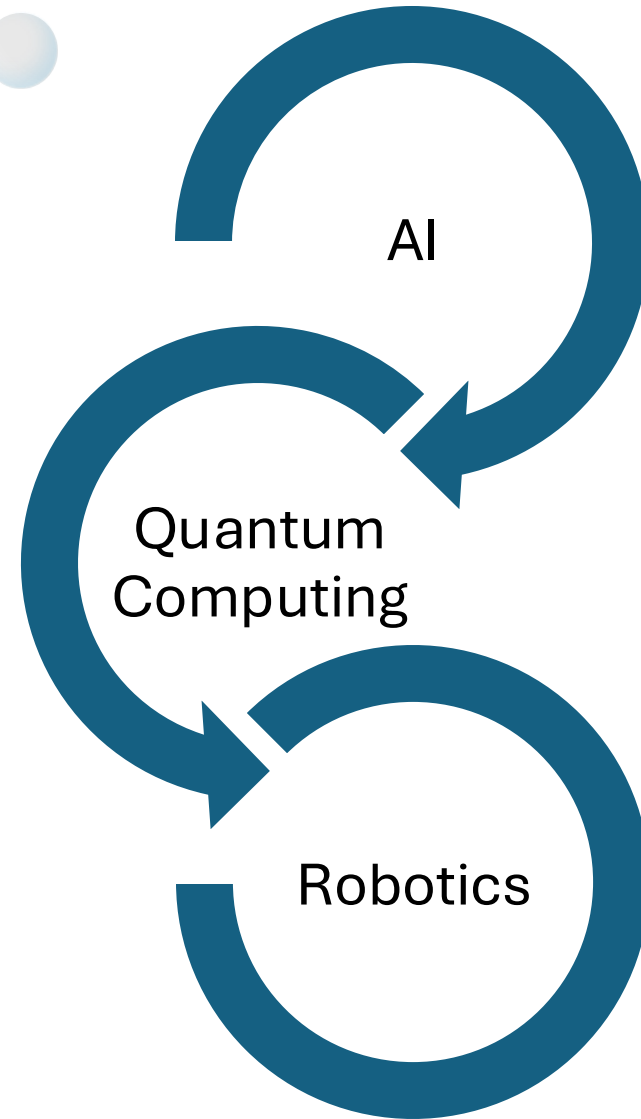


Portfolio review to demonstrate skills



Trial work period or paid internship

Combinatorial
Forces will
Reinforce and
Accelerate Change



Lateral and Nonlinear Thinking



CHALLENGING
ASSUMPTIONS



BOTTOM-UP THINKING

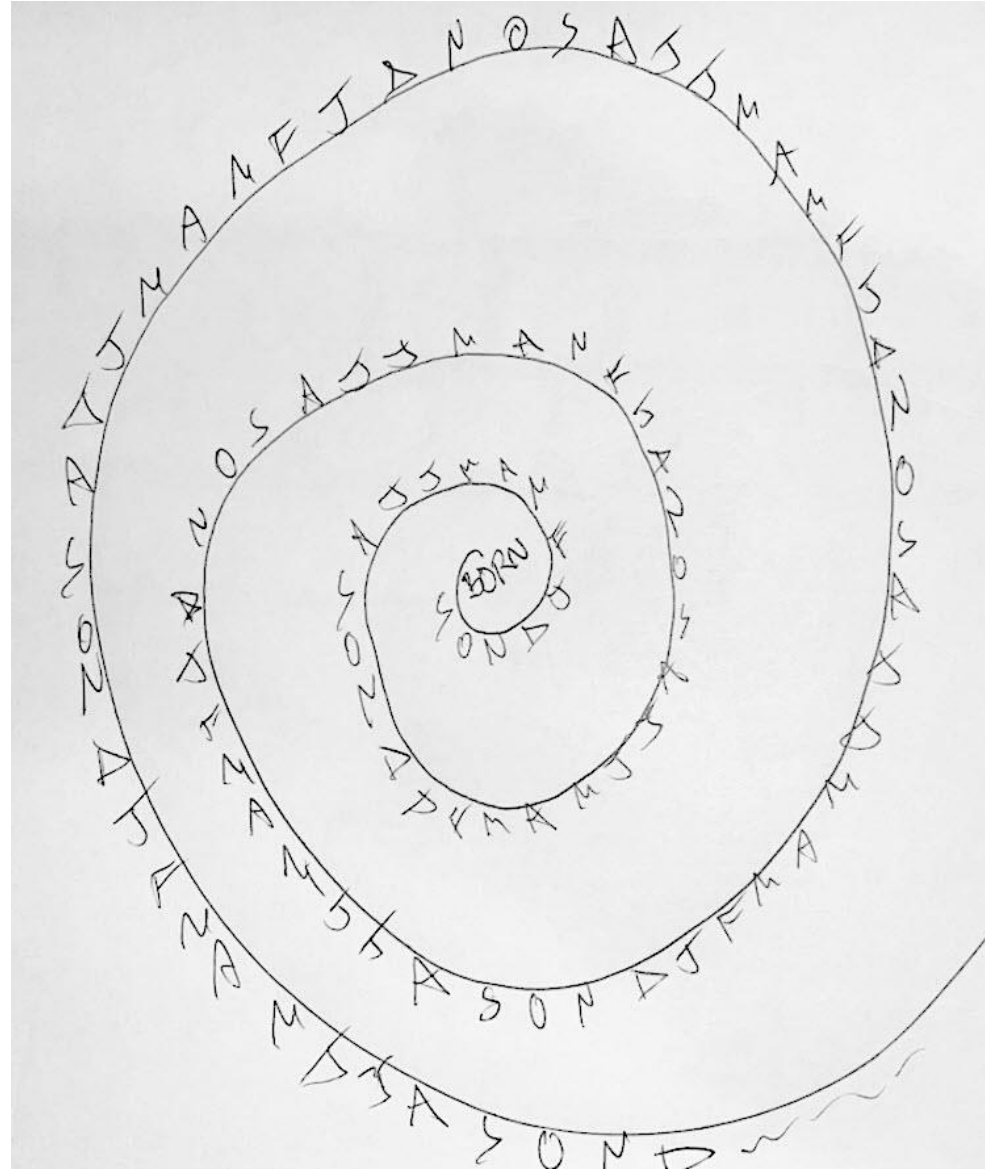


FIRST-PRINCIPLES
APPROACH AND
CONNECTING DOTS

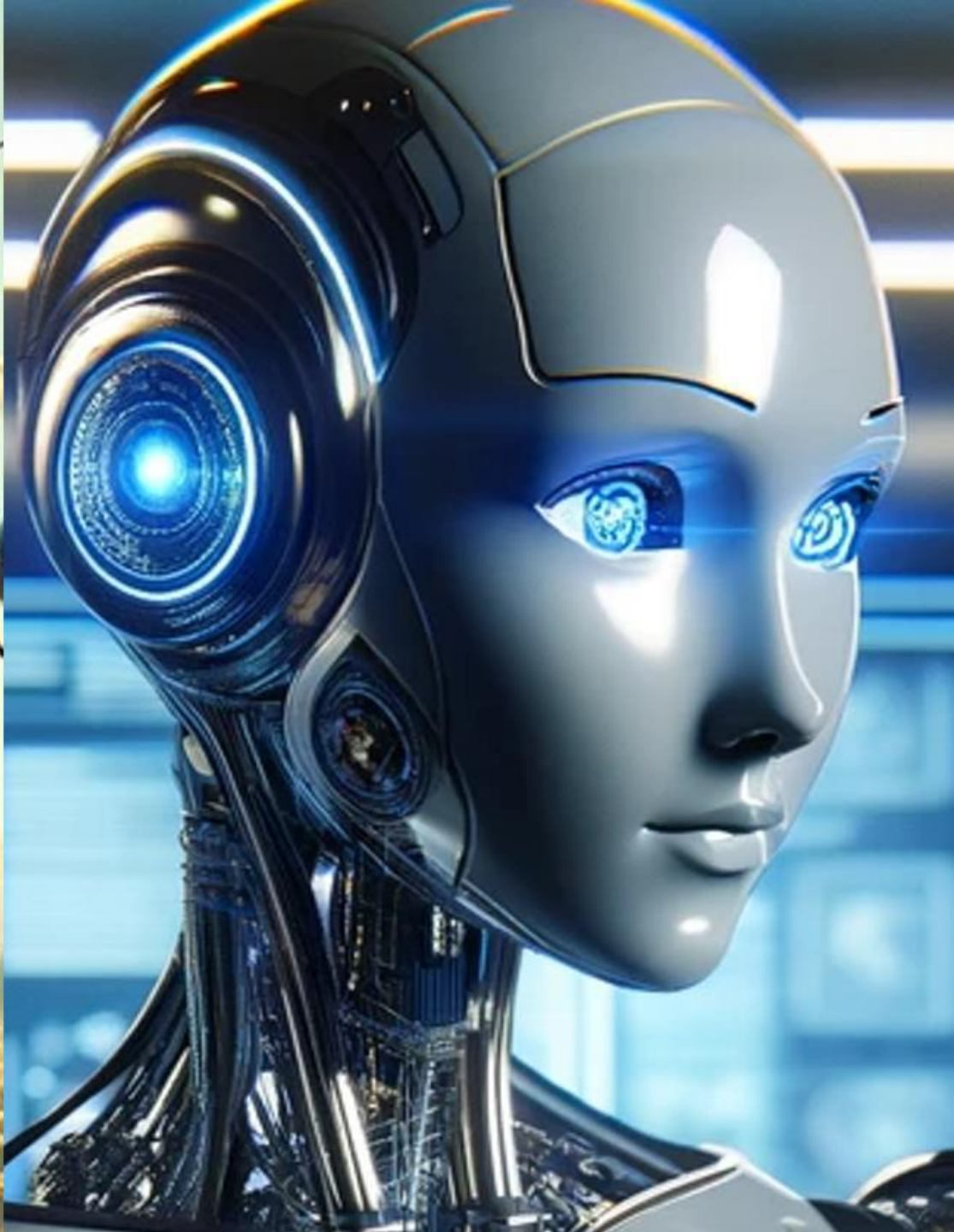


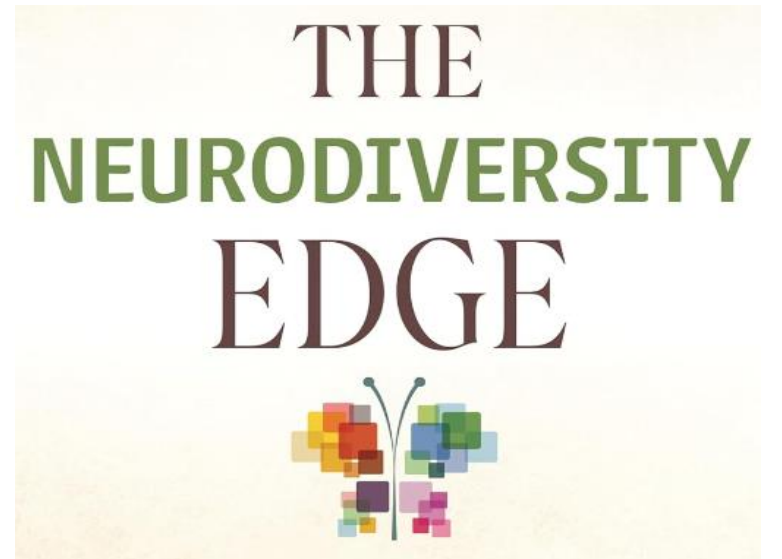
REVERSE ENGINEER











Get in touch:

Maureen@AutismCommunityVentures.org

[www.The NeurodiversityEdge.com](http://www.TheNeurodiversityEdge.com)

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Keynote Session

Unlocking the Power of Neurodiversity

MAUREEN DUNNE, PHD.

Cognitive Scientist and Neurodiversity Expert, Author of the National Bestseller, *The Neurodiversity Edge: The Essential Guide to Embracing Autism*.

Q&A MODERATED BY RANDY GUNN, CFA, VP,
Portfolio Manager, BULLWEALTH





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