

8<sup>TH</sup> ANNUAL

# ESTATE PLANNING, GUARDIANSHIP AND ELDER LAW CONFERENCE

Earn up to 11.75 Hours of Credit Including 3.00 Hours of Guardianship Credit and 2.50 Hours of Ethics Credit

Specialization Credit Expected for: Estate Planning & Probate Law, Civil Trial Law, Tax Law, and Family Law



August 10-11, 2006  
Moody Gardens Hotel  
*Adjacent to Schlitterbahn Water Park*  
Galveston, Texas

*Add Special Needs Trusts Video Replay, August 9, Galveston*

## SPECIAL NEEDS TRUSTS

### VIDEO REPLAY

August 9 at Moody Gardens

Earn up to 6.50 Hours

## 8<sup>TH</sup> ANNUAL ESTATE PLANNING, GUARDIANSHIP, AND ELDER LAW CONFERENCE

August 10-11, 2006 • Moody Gardens Hotel • Galveston, TX

Earn up to 11.75 Hours of Credit

Including 3.00 Hours of Guardianship Credit and 2.50 Hours of Ethics Credit

*\* indicates guardianship hours in program*

### WEDNESDAY, AUGUST 9, 2006

**9:00 a.m.** .50 hr  
Special Needs Trusts Overview

**9:30 a.m.** .75 hr  
Protecting and Maximizing Public Benefits

**10:15 a.m.** Break

**10:30 a.m.** .75 hr  
Drafting a Special Needs Trust

**11:15 a.m.** .75 hr  
Funding Special Needs Trusts

**12:15 p.m.** Lunch Presentation .75 hr  
National Cases and Trends Involving Special Needs Trusts

**1:15 p.m.** .75 hr  
People First: Promoting the Beneficiary's Independence and Quality of Life

**2:00 p.m.** .75 hr  
Administering a Special Needs Trust: The SNT Distribution Plan

**2:45 p.m.** Break

**3:00 p.m.** .75 hr  
Recent Changes in Trust Law

**3:45 p.m.** .75 hr  
Fixing Problems with Special Needs Trusts

**4:30 p.m.** Adjourn

### CONFERENCE FACULTY

KATHERINE N. BARR, BIRMINGHAM, AL

RONALD R. CRESSWELL, DALLAS

H. CLYDE FARRELL, AUSTIN

DEBORAH A. GREEN, AUSTIN

GLENN M. KARISCH, AUSTIN

RENÉE C. LOVELACE, DRIPPING SPRINGS, AUSTIN, DALLAS

PI-YI MAYO, BAYTOWN

SHARI M. SCHOLTEN, AUSTIN

PATRICIA F. SITCHLER, SAN ANTONIO

NANCY SOSA, AUSTIN

### THURSDAY, AUGUST 10, 2006

**Presiding Officer: H. Clyde Farrell, Austin**

**8:00 a.m.** Registration Opens

Includes continental breakfast.

**9:00 a.m.** .75 hr\* including .25 ethics

#### Rules and Responsibilities for Ad Litem

Who is your client? To whom do you answer? How hard should you fight? Our speaker has worked for Judge Guy Herman, and as an experienced probate practitioner, he has served many times as an attorney ad litem. He'll share with us the unwritten "rules of the road," as well as the black-letter law.

Craig Hopper, Austin

**9:45 a.m.** 1.00 hr

#### 10 Drafting Mistakes You Don't Want to Make—Wills and Trusts

Learn to avoid common errors so you won't have to explain them to your professional liability carrier.

Bernard E. Jones, Houston

**10:45 a.m.** Break

**11:00 a.m.** .50 hr

#### Drafting Beneficiary Designations for Retirement Plans

Use the plan's form or draft your own? How to reduce the risk of plan rejection of the document and what to do when it happens? Our speaker addresses the practical, nitty-gritty issues as well as tax deferment and benefit protection goals.

Louis D. Wall III, Fort Worth

**11:30 a.m.** .50 hr

#### Trust Planning for Non-Tax Purposes: Using Trusts for Management, Asset Protection & Disability Planning Goals

Tax avoidance is just one purpose of trusts. Don't forget they can be critical for asset management, creditor protection, benefit protection and beneficiary guidance.

Randy Drewett, Beaumont

**12:00 p.m.** Lunch on Your Own

### THURSDAY AFTERNOON

**Presiding Officer: Renée C. Lovelace, Dripping Springs, Austin, Dallas**

**1:00 p.m.** .75 hr including .25 ethics

#### Practical Guide to Probate

A probate judge identifies everyday probate problems and how to avoid them. How to make your client say, "Gee, that wasn't so bad!"

Hon. Polly Jackson Spencer, San Antonio

**1:45 p.m.** .50 hr

#### Giving the House the Edge: Strategies for Protecting Beneficiaries of Insolvent Estates

"Insolvent" doesn't mean "Can't pay attorneys and fiduciaries." It means we have more work to do to protect the executor, administrator and beneficiaries. Our speaker shares the "tricks of the trade."

C. Boone Schwartzel, Houston

**2:15 p.m.** .50 hr\* ethics

#### Fiduciary Liability in Guardianship

Can I get sued for what the ward does? What if the estate runs out of money? Who do you represent, the guardian or the ward? How to give the right answers and protect the guardian.

Sharon Brand Gardner, Houston

**2:45 p.m.** Break

**3:00 p.m.** .50 hr\*

#### Investment Plans in Guardianship Cases

The new requirement of investment plans means different things in different courts and with different estates. How to determine what to include and how to get it written correctly.

Hon. Steve M. King, Fort Worth

Sarah Patel Pacheco, Houston

**3:30 p.m.** .75 hr

#### Case Law Update—Wills and Trusts

What do we really need to know about recent cases to avoid drafting errors and meet our clients' estate planning goals? A leading Texas scholar and practitioner provides the answers.

Gerry W. Beyer, Lubbock

4:15 p.m. .50 hr

### Hospice—Can you Avoid a Spenddown?

Hospice, frequently overlooked and misunderstood, may be a useful tool for avoiding spenddowns and significantly supplementing funding with care, medication and equipment.

Dale Hicks, San Antonio

4:45 p.m. .75 hr

### Creating the Plan to Age in Place

"If you don't know where you want to go, you probably aren't going to get there." Our speaker demonstrates what can be done when clients make the effort to plan ahead with long-term care insurance, pre-selection of caregivers, solving transportation/driving issues and home modifications. Materials include a checklist of advance planning issues for discussion with the client.

Renée C. Lovelace, Dripping Springs, Austin, Dallas

5:30 p.m. Adjourn to Reception

## FRIDAY, AUGUST 11, 2006

**Presiding Officer:** Hon. Gladys B. Burwell, Galveston

7:30 a.m. Conference Room Opens

Includes continental breakfast.

8:30 a.m. 1.00 hr ethics

### Breakfast: Ask the Experts

#### What Do You Do When You Get a Call and the Question Is...

A panel of seasoned practitioners responds to frequently—and sometimes infrequently—asked questions, including practice, professional, and ethical issues in estate planning, probate, guardianship and elder law.

Moderator: Pi-Yi Mayo, Baytown  
Craig Hopper, Austin  
Marilyn G. Miller, Dripping Springs  
Patricia F. Stichter, San Antonio

9:30 a.m. Break

9:45 a.m. .75 hr

### Anatomy of a Typical Medicaid Application

Privatization and automation bring frustration to clients, opportunities to attorneys: how to fill out the new application form, what documents to file, how to manage (or avoid) the new call center, how to manage key issues and decisions.

Marilyn G. Miller, Dripping Springs

10:30 a.m. .50 hr

### Dealing with the Disaster of the Deficit Reduction Act (DRA) Medicaid Amendments

The first change in the federal Medicaid law since 1993 bestows on elderly and disabled people a five-year lookback period, a start date based on a hypothetical, and yet another attack on the homestead. How to guide clients through the 21st century Medicaid system.

Patricia F. Stichter, San Antonio

11:00 a.m. Break

11:15 a.m. .75 hr

### Planning Strategies After the Deficit Reduction Act (DRA) Medicaid Amendments

For Americans needing long-term care, poverty is no longer a social problem but a national policy goal. Our speaker identifies which planning strategies still work to ease financial suffering of the medically poor and some new ones that have opened up recently.

H. Clyde Farrell, Austin

12:00 p.m. .50 hr

### Save My Home! Saving the Home, Farm or Ranch from Medicaid Estate Recovery in Texas

Medicaid estate recovery is upon us. Our speaker highlights the exceptions, waivers and limitations that can save many clients' homes.

Wesley E. Wright, Bellaire

12:30 p.m. Lunch on Your Own

## FRIDAY AFTERNOON

**Presiding Officer:** Hon. Gladys B. Burwell, Galveston

1:30 p.m. 1.25 hr\* including .50 ethics

### Practical Tools in Guardianship

An experienced probate judge and a guardianship attorney share tips on efficient handling of investment plans, selling real estate or personal property, setting allowances, getting paid, making gifts, getting bonds, and handling claims and notices to creditors.

Deborah A. Green, Austin  
Hon. Guy Herman, Austin

2:45 p.m. Adjourn

## REGISTRATION FOR ER06 AND SN06

### Mail this registration form to:

The University of Texas School of Law, Attn. ER06 and SN06  
P.O. Box 7759, Austin, TX 78713-7759 or fax a copy to: (512) 475-6876

### PLEASE PRINT CLEARLY

Bar Card# \_\_\_\_\_ ☐ TX ☐ Other State: \_\_\_\_\_ ☐ N/A

Name [ Mr. / Ms. ] \_\_\_\_\_

Firm \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone \_\_\_\_\_ Fax \_\_\_\_\_

Registrant's Email (required) \_\_\_\_\_

### CONFERENCE REGISTRATION (August 10-11, 2006)

☐ Early Registration Fee due by Wed., August 2, 2006 ..... \$395.00

☐ Registration Fee after Wed., August 2, 2006 ..... \$445.00

### SPECIAL NEEDS TRUSTS VIDEO REPLAY (August 9, 2006)

☐ Early Registration Fee (\$225 after August 2, 2006) ..... \$175.00

### CONFERENCE PUBLICATIONS AND MEDIA

Allow 2-4 weeks from conference date for delivery.

☐ Course Binder WITHOUT Conference Registration ..... \$200.00

☐ Audio CD Set ..... \$175.00

☐ eBinder on CD (PDF format) ..... \$200.00/\$50.00

(\$200 purchased alone, \$50 with registration or purchase of Course Binder or Audio CD Set)

### IN-HOUSE CLE: Bring the conference in-house and learn at your convenience.

Allow 2-4 weeks from conference date for delivery.

☐ In-House CLE for 2—Includes Audio Set and 2 Course Binders ..... \$750.00

\_\_\_\_\_ Add participants (includes Course Binders) for \$200 each ..... \$ \_\_\_\_\_

TOTAL ENCLOSED ..... \$ \_\_\_\_\_

### METHOD OF PAYMENT

☐ Check (make checks payable to: The University of Texas at Austin)

☐ VISA or ☐ Mastercard (sorry, no AMEX or Discover)

Card #     -     -

X \_\_\_\_\_  
Authorized Signature

/    
Exp. Date (mm/yy)

# GALVESTON

August 10-11, 2006

## CONFERENCE LOCATION



**Moody Gardens Hotel**  
Seven Hope Boulevard  
Galveston, TX 77554  
1-888-388-8484

**SPECIAL RATE \$149**  
(subject to availability)  
good through July 19, 2006

*Rooms sell out quickly—please  
reserve early!*

Parking: Valet: \$7 day, \$10 overnight  
Self-Parking: Complimentary

### KEY DATES

#### Registration & Cancellation

August 2, 2006–5 p.m.

*last day for early registration*

add \$50 for registrations  
received after this time

August 4, 2006–5 p.m.

*last day for full refund*

August 7, 2006–5 p.m.

*last day for partial refunds*  
\$50 processing fee applied

August 9, 2006–9:00 a.m.

*Special Needs Trusts  
Video Replay begins*

August 10, 2006–9:00 a.m.

*Conference begins*

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E**

This course has been approved for  
Minimum Continuing Legal Edu-  
cation credit by the State Bar of  
Texas Committee on MCLE in the  
amount of 11.75 hours, of which  
2.50 credit hours will apply to legal  
ethics/professional responsibility  
credit and 3.00 hours to guard-  
ianship credit

## CONFERENCE FACULTY

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Lubbock

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Dripping Springs, Austin, Dallas

PI-YI MAYO, CELA  
Baytown

MARILYN G. MILLER  
Dripping Springs

PATRICIA F. SITCHLER, CELA  
San Antonio

WESLEY E. WRIGHT  
Bellaire



## ABOUT THE CONFERENCE

These Galveston events are  
part of our Hawaiian Shirt  
Series of Galveston confer-  
ences, both informal and  
informative—registrants  
and speakers are all invited  
to dress “beach casual.”  
Don’t miss out on:

- The Special Needs Trusts Video  
Replay on August 9, the day  
before the conference.
- Practical advice for drafting  
wills and trusts; and benefi-  
ciary designations for retire-  
ment plans.
- Guardianship issues such as  
fiduciary liability, investment  
plans, and more.
- Solutions for guiding clients  
through the Medicaid system.
- **Schlitterbahn Water Park**,  
right next door to Moody  
Gardens! (Reserve early, as  
hotel rooms sell out fast.)



## ABOUT THE COVER



*“Lotus Blooms,” pastel  
on paper 58”x34 1/4” by  
Lizanne Geneser Thate.  
For more information  
please contact:  
lthate@austin.rr.com*

# UTCLE

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THE UNIVERSITY OF TEXAS SCHOOL OF LAW  
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*This program is not printed or mailed at state expense.*

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August 9, 2006 • Special Needs Trusts Video Replay • Galveston

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