

8th Annual Estate Planning, Guardianship and Elder Law Conference

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

Thursday Morning, Aug. 10, 2006

Presiding Officer:

H. Clyde Farrell, Attorney at Law - Austin, TX

9:00 am 0.75 hr	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, Hopper & Associates, P.C. - Austin, TX
9:45 am 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, Attorney at Law - Houston, TX
11:00 am 0.50 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. Lewis Douglas Wall III, Bourland, Wall & Wenzel PC - Fort Worth, TX
11:30 am 0.50 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, Attorney at Law - Beaumont, TX

Thursday Afternoon, Aug. 10, 2006

Presiding Officer:

Renee C. Lovelace, Attorney at Law - Dripping Springs, TX

1:00 pm 0.75 hr	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, Bexar County Probate Court No. 1 - San Antonio, TX
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1:45 pm 0.50 hr	<p>Giving the House the Edge: Strategies for Protecting Beneficiaries of Insolvent Estates</p> <p>“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.”</p> <p>C. Boone Schwartzel, Attorney At Law - Houston, TX</p>
2:15 pm 0.50 hr	<p>Fiduciary Liability in Guardianship</p> <p>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.</p> <p>Sarah Patel Pacheco, Crain, Caton & James, P.C. - Houston, TX</p>
3:00 pm 0.50 hr	<p>Investment Plans in Guardianship Cases</p> <p>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.</p> <p>Hon. Steve M. King, Tarrant County Probate Court One - Fort Worth, TX Sarah Patel Pacheco, Crain, Caton & James, P.C. - Houston, TX</p>
3:30 pm 0.75 hr	<p>Case Law Update—Wills and Trusts</p> <p>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.</p> <p>Gerry W. Beyer, Texas Tech University School Of Law - Lubbock, TX</p>
3:45 pm 0.75 hr	<p>Creating the Plan to Age in Place</p> <p>"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.</p> <p>Renee C. Lovelace, Attorney at Law - Dripping Springs, TX</p>
4:15 pm 0.50 hr	<p>Hospice—Can You Avoid a Spenddown?</p> <p>Hospice, frequently overlooked and misunderstood, may be a useful tool for avoiding spenddowns and significantly supplementing funding with care, medication and equipment.</p> <p>Dale Hicks, Dale Hicks, PLLC - San Antonio, TX</p>

Friday Morning, Aug. 11, 2006

Presiding Officer:

Hon. Gladys B. Burwell, Galveston County Probate Court - Galveston, TX

8:30 am 1.00 hr	<p>Breakfast: Ask the Experts What Do You Do When You Get a Call and the Question Is...</p> <p>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.</p> <p>Craig Hopper, Hopper & Associates, P.C. - Austin, TX Pi-Yi Mayo, Law Office of Pi-Yi Mayo - Baytown, TX Marilyn G. Miller, Attorney at Law - Dripping Springs, TX Patricia F. Sitchler, Schoenbaum, Curphy & Scanlan, PC - San Antonio, TX</p>
9:45 am 0.75 hr	<p>Anatomy of a Typical Medicaid Application</p> <p>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.</p> <p>Marilyn G. Miller, Attorney at Law - Dripping Springs, TX</p>
10:30 am 0.50 hr	<p>Dealing with the Disaster of the Deficit Reduction Act (DRA) Medicaid Amendments</p> <p>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.</p> <p>Patricia F. Sitchler, Schoenbaum, Curphy & Scanlan, PC - San Antonio, TX</p>
11:15 am 0.75 hr	<p>Planning Strategies after the Deficit Reduction Act (DRA) Medicaid Amendments</p> <p>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.</p> <p>H. Clyde Farrell, Attorney at Law - Austin, TX</p>

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12:00 pm 0.50 hr	<p>Save My Home! Saving the Home, Farm or Ranch from Medicaid Estate Recovery in Texas</p> <p>Medicaid estate recovery is upon us. Our speaker highlights the exceptions, waivers and limitations that can save many clients' homes.</p> <p>Wesley E. Wright, Wright Abshire Attorneys - Bellaire, TX</p>
1:30 pm 1.25 hrs	<p>Practical Tools in Guardianship</p> <p>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.</p> <p>Deborah A. Green, Attorney at Law - Austin, TX Hon. Guy Herman, Travis County Probate Court No. 1 - Austin, TX</p>