

9th Annual Estate Planning, Guardianship and Elder Law Conference

August 9-10, 2007 • Moody Gardens • Galveston, TX

Thursday Morning, Aug. 9, 2007

Presiding Officer:

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

8:00 am	Registration opens
8:50 am	Welcoming Remarks Welcoming Remarks
9:00 am 0.75 hr	Recognizing and Categorizing Client Issues: Top Ten Common (Most Non-Tax) Problems and Solutions An expert estate planner looks at common sets of issues that arise from different categories of clients—blended family, multi-state assets, problem beneficiaries, non-traditional relationships, etc.—and outlines the key issues to keep in mind for each situation. Patrick John Pacheco, Jpmorgan - Houston, TX
9:45 am 0.75 hr	A New Look at Funding Marital Deduction and Bypass Trusts Get practical advice about issues that arise when funding various gifts made under wills. Review the thought process used when deciding (i) which assets to allocate to which gift, (ii) how to allocate post-death appreciation and income, and (iii) how to make sure that the executor documents and implements the funding that is decided upon. Mickey R. Davis, Bracewell & Giuliani LLP - Houston, TX
10:30 am 0.50 hr	Simplifying Complexity: Practical Planning for Beneficiary Designations This session will attempt to move beyond detailing the technical rules, problems, and limits of beneficiary designations, and, instead, will survey practical planning options for designating the beneficiaries of non-probate assets such as life insurance, retirement accounts, and multi-party accounts. Michael Wayne Hatfield, Texas Tech Law School - Lubbock, TX
11:00 am	Break Break
11:15 am 1.00 hr 0.25 hr ethics 1.00 hr guardianship	The Role of the Guardian This sessions discusses the duties and responsibilities of a guardian under Texas law, including ethical issues. All aspects of guardianship administration, from initiation to closing, will be covered. Deborah A. Green, Attorney at Law - Austin, TX

Thursday Afternoon, Aug. 9, 2007

Presiding Officer:

Patricia F. Sitchler, Schoenbaum, Curphy & Scanlan, PC - San Antonio, TX

12:15 pm	Pick up Box Lunch Pick Up Box Lunch
12:30 pm 0.75 hr	Lunch Presentation What Am I Doing Wrong? A Panel of Former and Current Statutory Probate Court Personnel An overview of the Texas probate court system, with an emphasis on practicing in the state's statutory probate courts. Moderator: Craig Hopper, Hopper & Associates, P.C. - Austin, TX Panelists: Steven D. Fields, Tarrant County Probate Court #2 - Fort Worth, TX Panelists: Tricia Gail Gray, Hopper & Associates, P.C. - Austin, TX Panelists: Elizabeth Thomson Hetrick, Bank Of America - San Antonio, TX
1:30 pm 0.75 hr	Wills and Trusts Case Law Update: How Developments Affect Drafting and Planning 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, Texas Tech University School Of Law - Lubbock, TX
2:15 pm 0.50 hr	Probate and Estate Planning Developments in the 2007 Legislative Session 2007 Texas legislative developments affecting decedents' estates, guardianships and trusts, with an emphasis on elder law. Barbara J. Lipscomb, Barnes & Karisch, P.C. - Austin, TX
2:45 pm 0.50 hr	Estate Planning Outside of Probate A discussion of the ever-growing problem of dealing with assets which pass outside of probate—multiparty accounts, trust assets, beneficiary designation property, etc. Barbara J. Lipscomb, Barnes & Karisch, P.C. - Austin, TX
3:15 pm	Break Break
3:30 pm 0.75 hr	Handling a Medicaid Estate Recovery Program (MERP) Claim in Texas This session will provide a practical, hands-on discussion of the MERP Claims Process from a Texas Probate Code perspective. The presentation will include a summary of the (latest) MERP statute, the Texas creditor's claims process, an analysis of the procedures utilized by Medicaid in pursuing enforcement of their claim, along with a "how-to" discussion of planning and handling the claim. Randy Drewett, Attorney at Law - Beaumont, TX

4:15 pm 0.75 hr 0.25 hr ethics 0.75 hr guardianship	Roles and Responsibilities for Ad Litem An experienced probate judge presents an overview of attorney ad litem responsibilities with an emphasis on everyday practicalities, tips and ethical issues. Hon. Guy Herman, Travis County Probate Court No. 1 - Austin, TX
5:00 pm 0.50 hr 0.50 hr guardianship	“Janie’s Got a Gun” A discussion of what a guardian can and should do when their ward engages in criminal behavior or gets arrested. Krista Anne Chacona, The Law Office Of Krista A. Chacona - Austin, TX
5:30 pm	Adjourn Adjourn

Friday Morning, Aug. 10, 2007

Presiding Officer:

Hon. Gladys B. Burwell, Galveston County Justice Center - Galveston, TX

7:45 am	Conference Room Opens Conference Room Opens
8:30 am 1.00 hr ethics 0.25 hr guardianship	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. Panelists: Deborah A. Green, Attorney at Law - Austin, TX Panelists: Craig Hopper, Hopper & Associates, P.C. - Austin, TX Panelists: Marilyn G. Miller, Attorney at Law - Dripping Springs, TX
9:30 am 0.75 hr	Medicare Facts and Questions This session discusses common scenarios that beneficiaries encounter and ask their attorneys about every day. Pi-Yi Mayo, Attorney at Law - Baytown, TX
10:15 am	Break Break

10:30 am 1.00 hr	<p>Medicaid: Current Practice and Legislative Developments</p> <p>A discussion of Texas legislative and regulatory changes; federal changes under the Deficit Reduction Act of 2005, including annuities and transfer issues; and effects of changes on planning strategies.</p> <p>H. Clyde Farrell, Attorney at Law - Austin, TX Patricia F. Sitchler, Schoenbaum, Curphy & Scanlan, PC - San Antonio, TX</p>
11:30 am 0.75 hr	<p>Agency Perspective on Public Benefits</p> <p>This panel of key agency representatives will share insights into the procedures currently employed to administer rules for Medicaid eligibility and those pursuant to the Medicaid Estate Recovery Program.</p> <p>Moderator: Wesley E. Wright, Wright Abshire, Attorneys - Bellaire, TX Panelists: Flora A. Fearon, Texas Department of Aging and Disability Services - Austin, TX Panelists: Shari Nichols, Texas Health and Human Services Commission - Austin, TX Panelists: Stephanie Ryan, Texas Department of Aging and Disability Services - Austin, TX Panelists: John Stockton, Texas Health and Human Services Commission - Austin, TX</p>

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Presiding Officer:

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12:15 pm	<p>Lunch on your Own</p> <p>Lunch On Your Own</p>
1:15 pm 0.50 hr ethics 0.25 hr guardianship	<p>How Fiduciaries Can Stay Out of Trouble</p> <p>When those not-so-common issues arise, how do you advise your client with respect to his responsibilities as an agent, guardian, trustee or executor? This session discusses ethical issues and tips for avoiding problems.</p> <p>Ashley Ressmann Gray, Schoenbaum Curphy & Scanlan PC - San Antonio, TX</p>
1:45 pm 0.75 hr ethics 0.25 hr guardianship	<p>Fiduciary Compensation: What You Can Charge and When</p> <p>A discussion of ethical and practical issues regarding what you can charge and when as it applies to guardians, trustees, administrators, and executors.</p> <p>David P. Stanush, Oppenheimer, Blend, Harrison & Tate, Inc - San Antonio, TX</p>
2:30 pm 0.75 hr	<p>Special Needs Trusts—Common Problems, Common Solutions, Common Mistakes</p> <p>This session will focus on third-party Special Needs Trusts and how to plan and draft to avoid future trust administration problems.</p> <p>Renee C. Lovelace, Attorney at Law - Dripping Springs, TX</p>

3:15 pm

Adjourn

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