

12TH ANNUAL

ESTATE PLANNING, GUARDIANSHIP AND ELDER LAW CONFERENCE



August 12–13, 2010

Moody Gardens Hotel ▪ Galveston, Texas

MAJOR SPONSOREncore Trust

Earn up to 12.00 Hours of Credit including 2.50 Hours of Ethics Credit
and 3.50 Hours of Guardianship

Specialization Credit Approved for Estate Planning and Probate Law

Summer Conference Series: Informal and Informative

ESTATE PLANNING, GUARDIANSHIP AND ELDER LAW CONFERENCE

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THURSDAY MORNING, AUG. 12, 2010**Presiding Officer:**H. Clyde Farrell, Farrell & Pak, PLLC,
Austin, TX**8:00 a.m. Registration Opens**

Includes continental breakfast.

8:50 a.m. Welcoming Remarks**9:00 a.m. .75 hr****The Substantive Estate Plan: How Hard Can It Be to Give Our Clients What They Want?**

Sometimes goals that seem simple require extraordinary effort to achieve. And occasionally the testator's intent just doesn't get carried out despite the attorney's best efforts. This presentation examines selected cases—some from the appellate record and some from practical experience.

Dianne Reis, Attorney at Law, Plano, TX

9:45 a.m. 1.00 hr**Bypass Trusts: From Planning to Implementation**

Basic bypass trust planning for non-tax specialists, including drafting issues, types of funding methods, special problems if death occurs in 2010, estate administration issues and special needs trusts issues.

Glenn M. Karisch, The Karisch Law Firm, PLLC,
Austin, TX**10:45 a.m. Break****11:00 a.m. 1.00 hr G including .50 hr ethics****The Role of the Guardian**

The duties and responsibilities of a guardian under Texas law, and guardian administration from initiation to closing, including the code requirements of selling and leasing property, as well as ethical issues.

Donald F. Carnes, Hill, Ducloux, Carnes &
de la Garza, Austin, TX**12:00 p.m. Lunch on Your Own****THURSDAY AFTERNOON****Presiding Officer:**

Nancy Sosa, Encore Trust, Austin, TX

1:30 p.m. 1.00 hr G including .25 hr ethics**Contested Guardianships: Realistic Solutions to Complex Problems**

Handling guardianships in which problems arise—and problems do seem to arise in most cases—can present challenges to the probate practitioner, but is also an opportunity to use creative and workable solutions in order to reach an outcome with which the ward, judge, attorneys, and family members are (mostly) in agreement. This session addresses common and uncommon guardianship problems, and presents solutions and form documents to address same.

Catherine H. Goodman, Shannon, Gracey, Ratliff &
Miller, LLP, Fort Worth, TX
R. Dyann McCully, Bakutis, McCully & Sawyer, P.C.,
Fort Worth, TX**2:30 p.m. .75 hr****Medicaid Estate Recovery Program (MERP) Claims in Probate**

A look at conflicts between MERP rules and probate/guardianship claim statutes, and their potential impact on how claims are established and paid after a Medicaid recipient's death.

C. Boone Schwartzel, Attorney at Law, Houston, TX

3:15 p.m. .50 hr**Mama Left Me What? What to Do When an Estate Has a Beneficiary on Medicaid**

This session outlines what to do when your client, who is on government benefits, inherits property through an estate. It includes discussion of contingent, self-settled and court-created trusts, and the 2009 legislative changes affecting them in the probate process.

Deborah A. Green, Attorney at Law, Austin, TX

3:45 p.m. Break**4:00 p.m. .75 hr****Disabled Adult Children**

What happens when your SSI/Medicaid-eligible child reaches the age of 18? This session provides an overview of the eligibility rules and benefits of the Social Security Administration's Disabled Adult Child (DAC) program.

Pi-Yi Mayo, Attorney at Law, Baytown, TX

4:45 p.m. .75 hr**HHSC Policy Perspective**

Representatives from the Health and Human Services Commission (HHSC) discuss existing policy and how it is enforced.

Dee Church, Texas Health and Human Services
Commission, Austin, TX
John Stockton, Texas Health and Human Services
Commission, Austin, TX**5:30 p.m. Adjourn to Reception
Sponsored by Encore Trust****FRIDAY MORNING, AUG. 13, 2010****Presiding Officer:**Hon. Gladys B. Burwell, Galveston
County Probate Court, Galveston, TX**7:45 a.m. Conference Room Opens**

Includes continental breakfast.

**8:30 a.m. 1.00 hr including .50 hr ethics
and .25 hr G****Ask the Experts: What to Do When You Get a Call and the Question Is...**

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

Moderator:

Deborah A. Green, Attorney at Law, Austin, TX

Panelists:H. Clyde Farrell, Farrell & Pak, PLLC, Austin, TX
Pi-Yi Mayo, Attorney at Law, Baytown, TX
Marilyn G. Miller, Attorney at Law, Dripping Springs, TX
Patricia F. Stichler, Schoenbaum, Curphy &
Scanlan, PC, San Antonio, TX
Wesley E. Wright, Wright Abshire Attorneys, Bellaire, TX**9:30 a.m. 1.00 hr****Medicare Facts and Questions including Expedited Appeals**

An overview of Medicare coverage, appeals of denials and terminations of services for Medicare beneficiaries. The presentation begins with a short "Medicare Quiz," follows up with a discussion of Medicare basics, covers general information about Medicare eligibility and services under Parts A, B, C and D, and concludes with a discussion of expedited appeals.

Alfred J. Chiplin Jr., Center for Medicare
Advocacy, Inc., Washington, DC**10:30 a.m. Break**

10:45 a.m. 1.00 hr G including .50 hr ethics

Roles and Responsibilities for Ad Litem

An overview of attorney ad litem responsibilities with an emphasis on everyday practicalities, tips and ethical issues.

Hon. Steve M. King, Tarrant County Probate Court #1,
Fort Worth, TX

11:45 a.m. .50 hr including .25 hr G

Representing Clients in Situations Involving Adult Protective Services (APS) Investigations

Advising clients and family members about APS and a look at situations where APS is involved, including in the guardianship process.

Holly J. Gilman, Gilman & Associates, P.C., Austin, TX

FRIDAY AFTERNOON

Presiding Officer:

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

LUNCHEON PRESENTATION

12:15 p.m. Pick up Box Lunch
Included in conference registration fee.

12:30 p.m. .75 hr

Estate Planning Case Law Update

What do you really need to know about recent cases to avoid errors and meet your clients' estate planning goals?

Hon. Sandee Bryan Marion, Fourth Court of Appeals,
San Antonio, TX

1:15 p.m. Break

1:30 p.m. .50 hr

TRICARE for Life and At-Home Care

This presentation focuses attention on two little-known programs that may offer eligible clients significant monetary assistance and extended home care.

Wesley E. Wright, Wright Abshire Attorneys, Bellaire, TX

Great location! Great speakers!
Great topics!

Excellent conference. I learned
quite a bit. The speakers were
well-informed and imparted their
knowledge on us.

Great! Good balance of topics.
Well done!

2:00 p.m. .75 hr ethics

Helping Clients with Emotional Legal Decisions

An attorney and a case manager address the elder law attorney's ethical and practical challenges in helping clients who are facing myriad choices with both legal and emotional components. The presentation includes resources to help clients address driving, moving to assisted living, home modifications, funerals, end-of-life planning, care of a spouse, grief, loss of physical well-being and capabilities, and facing capacity declines, all while maintaining and protecting their quality of life.

The case manager discusses where attorneys may stumble outside of legal choices into emotional decisions, how attorneys can help and not interfere with a case manager's work, and how to steer clear of areas where an attorney's involvement does not help but where a case manager may be the ideal professional to help clients make good choices.

Debbie Pearson, Nurses Case Management, Austin, TX
Renée C. Lovelace, The Lovelace Law Firm, P.C.,
Dripping Springs, TX

2:45 p.m. Adjourn

REGISTRATION FOR ER10

Mail this registration form to:

The University of Texas School of Law, Attn. CLE—ER10

P.O. Box 7759, Austin, TX 78713-7759

or fax a copy to: **512-475-6876** or register online: **www.utcle.org**

Questions? Call us at 512-475-6700

PLEASE PRINT CLEARLY

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Name [Mr. / Ms.] _____

Firm _____

Address _____

City _____ State _____ Zip _____

Telephone _____ Fax _____

Registrant's Email (required) _____

Assistant's Email (optional) _____

Invoices, confirmations and receipts are emailed to these addresses.

REGISTRATION

Includes Course Binder and Friday Luncheon Presentation

- ☐ Early Registration Fee due by Wednesday, August 4, 2010\$495
☐ Registration Fee after Wednesday, August 4, 2010.....\$545

CONFERENCE PUBLICATIONS AND MEDIA

Allow 3–5 weeks from the conference date for delivery.

- ☐ Course Binder WITHOUT Conference Registration.....\$250
Note: Conference registration includes Course Binder.
☐ Audio CD Set.....\$200
☐ Audio MP3 Speeches on CD.....\$130
☐ eBinder on CD (PDF format).....\$250/\$50
(\$250 purchased alone, \$50 with registration or purchase of Course Binder or Audio CD Set or Audio MP3 Speeches on CD)

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

Allow 3–5 weeks from the conference date for delivery.

- ☐ In-House CLE for 1—Includes Audio CD Set and Course Binder\$445
_____ Add participants (includes Course Binder) for \$250 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)

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512-475-6700

for more information

GALVESTON

August 12–13, 2010

CONFERENCE LOCATION



Moody Gardens Hotel
7 Hope Blvd.
Galveston, TX 77554
409-741-8484

Special Rate: \$163
good through July 21, 2010
(subject to availability)

Rooms sell out quickly—please reserve early!

Complimentary Self-Parking

KEY DATES

August 4, 2010, 5 p.m.
last day for early registration
add \$50 for registrations
received after this time

August 6, 2010, 5 p.m.
last day for full refund

August 9, 2010, 5 p.m.
last day for partial refunds
\$50 processing fee applied

August 12, 2010, 9 a.m.
conference begins

CONFERENCE FACULTY

DONALD F. CARNES
Hill, Ducloux, Carnes & de la Garza
Austin, TX

ALFRED J. CHIPLIN JR.
Center for Medicare Advocacy, Inc.
Washington, DC

DEE CHURCH
Texas Health and Human Services
Commission
Austin, TX

H. CLYDE FARRELL
Farrell & Pak, PLLC
Austin, TX

HOLLY J. GILMAN
Gilman & Associates, P.C.
Austin, TX

CATHERINE H. GOODMAN
Shannon, Gracey, Ratliff & Miller, LLP
Fort Worth, TX

DEBORAH A. GREEN
Attorney at Law
Austin, TX

GLENN M. KARISCH
The Karisch Law Firm, PLLC
Austin, TX

HON. STEVE M. KING
Tarrant County Probate Court #1
Fort Worth, TX

RENÉE C. LOVELACE
The Lovelace Law Firm, P.C.
Dripping Springs, TX

HON. SANDEE BRYAN MARION
Fourth Court of Appeals
San Antonio, TX

PI-YI MAYO
Attorney at Law
Baytown, TX

R. DYANN MCCULLY
Bakutis, McCully & Sawyer, P.C.
Fort Worth, TX

MARILYN G. MILLER
Attorney at Law
Dripping Springs, TX

DEBBIE PEARSON
Nurses Case Management
Austin, TX

DIANNE REIS
Attorney at Law
Plano, TX

C. BOONE SCHWARTZEL
Attorney at Law
Houston, TX

PATRICIA F. SITCHLER
Schoenbaum, Curphy & Scanlan, PC
San Antonio, TX

JOHN STOCKTON
Texas Health and Human Services
Commission
Austin, TX

WESLEY E. WRIGHT
Wright Abshire Attorneys
Bellaire, TX

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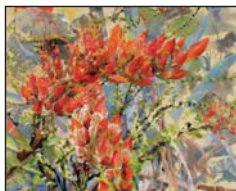
WESLEY E. WRIGHT
Bellaire, TX

SUMMER CONFERENCE SERIES

Estate Planning, Guardianship
and Elder Law Conference
is part of UT Law's Summer
Conference Series, both
informal and informative.
Participants are invited to
dress casually and bring the
family.

M
C
L
E

This course has been approved for Minimum Continuing Legal Education by the State Bar of Texas Committee on MCLE in the amount of 12.00 hours, of which 2.50 hours will apply to legal ethics/ professional responsibility credit and 3.50 hours will apply to guardianship credit. The University of Texas School of Law is a State Bar of California approved MCLE provider (#1944).



ABOUT THE COVER

Ocotillo, 24" x 30", acrylic, is by Malou Flato. For more information, visit www.malouflato.com. Image acquisition by Sandra Gregor, art consultant, 512-477-2827.