15th Annual Estate Planning, Guardianship and Elder Law Conference
August 8-9, 2013 • Moody Gardens • Galveston, TX

Thursday Morning, Aug. 8, 2013

Presiding Officer:
H. Clyde Farrell, Farrell & Pak PLLC - Austin, TX

8:00 am	**Registration Opens** Includes continental breakfast.
8:50 am	**Welcoming Remarks**
9:00 am 0.75 hr	**Legislative Update: Out with the Old (Probate Code) and In with the New (Estates Code)** A 2013 Texas estate and trust legislative update including probate, guardianships, trusts, powers of attorney, and related matters. William D. Pargaman, Saunders Norval Pargaman & Atkins, LLP - Austin, TX
9:45 am 0.75 hr	**A Toolkit for New Elder Law Practitioners** An introduction to the practice of elder law including issue spotting, basic planning strategies, referrals to important resources, how tos, and forms. Christina Lesher, Attorney at Law - Houston, TX Bliss Burdett Pak, Farrell & Pak PLLC - Austin, TX
10:30 am	**Break**
10:45 am 0.75 hr	**The Unexpected Complexities of Tragedy: Fundraising, Medicaid, Special Needs Trusts and Tax Deductions** This presentation explores the complex issues that arise when tragedy strikes, often causing fundraising efforts to begin by people who are trying to help, but who have no knowledge of the problems that could arise later when the victim needs Medicaid. Wesley E. Wright, Wright Abshire, Attorneys - Bellaire, TX
11:30 am 1.00 hr 0.50 hr ethics 1.00 hr guardianship	**The Role of the Guardian** An examination of 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. Stephen Jody Helman, Osborne, Helman, Knebel & Deleery, LLP - Austin, TX
12:30 pm	**Pick Up Lunch** Included in registration.

Thursday Afternoon, Aug. 8, 2013

Presiding Officer:
Wesley E. Wright, Wright Abshire, Attorneys - Bellaire, TX

	LUNCHEON PRESENTATION Thank You to Our Luncheon Sponsor First Victoria National Bank
12:50 pm 0.75 hr	**Estate Planning Case Law Update** A look at judicial developments relating to the Texas law of intestacy, wills, estate administration, trusts, and other estate planning matters. Hon. Polly Jackson Spencer, Bexar County Probate Court No. 1 - San Antonio, TX
1:35 pm	**Break**
1:45 pm 0.50 hr	**Gift and Estate Tax: Where Are We Now?** An update on changes to the transfer tax laws under the American Taxpayer Relief Act of 2012, including portability of the estate tax exemption. Amanda M. Gyeszly, Fizer Beck Webster Bentley & Scroggins - Houston, TX
2:15 pm 0.75 hr	**Estate Planning in Our Current Environment** Practical estate planning strategies following the American Taxpayer Relief Act (ATRA) including the outlook for further legislative changes, the impact of higher tax brackets on trust distribution planning, approaches to estate planning following ATRA, strategies to preserve basis adjustments, wealth transfer strategies including the use of defined value clauses, and significant estate current planning developments. Stephen R. Akers, Bessemer Trust Company NA - Dallas, TX
3:00 pm 0.17 hr	**Overview: HHSC Policy and Practices vs. Potential Accusations of Fraud—What Is the Proper Balance for the Practicing Attorney?** Wesley E. Wright, Wright Abshire, Attorneys - Bellaire, TX
3:10 pm 0.67 hr ethics	**Medicaid Fraud: The Practitioner and OIG Perspectives** A look at what practicing attorneys should know and understand when their clients are faced with potential accusations of Medicaid fraud, including issues around attorney-client privilege, duties to disclose information, and other ethical issues. Jason Ray, Riggs Aleshire & Ray, P.C. - Austin, TX Jack Stick, Office of the Inspector General, Texas Health and Human Services Commission - Austin, TX
3:50 pm	**Break**

4:05 pm 0.67 hr ethics	**Medicaid Fraud: Q&A** A moderated question and answer panel on how to advise your clients through common problem situations and know what OIG looks for. Moderator: Wesley E. Wright, Wright Abshire, Attorneys - Bellaire, TX Jason Ray, Riggs Aleshire & Ray, P.C. - Austin, TX Jack Stick, Office of the Inspector General, Texas Health and Human Services Commission - Austin, TX
4:45 pm 0.75 hr	**View from the HHSC** Officials from the Texas Health and Human Services Commission (HHSC) address current issues in long-term care Medicaid eligibility. Moderator: H. Clyde Farrell, Farrell & Pak PLLC - Austin, TX Panelist: Shari L. Nichols, Texas Health and Human Services Commission - Austin, TX
5:30 pm	**Adjourn to Networking Reception (5:30 p.m. to 6:45 p.m.)** Thank You to Our Reception Sponsor Frost Wealth Advisors

Friday Morning, Aug. 9, 2013

Presiding Officer:
Hon. Gladys B. Burwell, Senior Statutory Probate Judge - Friendswood, TX

7:30 am	**Conference Room Opens** Includes continental breakfast.
8:00 am 1.00 hr 0.25 hr ethics 0.25 hr guardianship	**Ask the Experts** A panel of seasoned practitioners respond to your frequently—and sometimes infrequently—asked questions including practice, professional and ethical issues in estate planning, probate, guardianship and elder law. Moderator: H. Clyde Farrell, Farrell & Pak PLLC - Austin, TX Panelists: Randy Drewett, Attorney at Law - Beaumont, TX Panelists: Craig Hopper, Hopper Mikeska PLLC - Austin, TX Panelists: Marilyn G. Miller, Attorney at Law - Dripping Springs, TX Panelists: Patricia F. Sitchler, Schoenbaum, Curphy & Scanlan, P.C. - San Antonio, TX
9:00 am 0.75 hr	**Attorney's Fees in Probate Court** An inside view on what the court is looking for in your fee applications. Hon. Dan Prashner, Travis County Probate Court - Austin, TX

9:45 am	**Break**
10:00 am 0.75 hr	**Deadly Sins of Attorney Fee Agreements** Learn how to prepare understandable fee agreements that comply with ethics rules you never thought about! Mark D. White, Sprouse Shrader Smith PC - Amarillo, TX
10:45 am 1.00 hr 0.50 hr ethics 1.00 hr guardianship	**The Role of the Ad Litem** An overview of the responsibilities of the attorney ad litem and guardian ad litem with an emphasis on practical application of the statutes. The materials include numerous checklists, comprehensive references and forms. Hon. Steve M. King, Tarrant County Probate Court #1 - Fort Worth, TX
11:45 am	**Pick Up Lunch** Included in registration.

Friday Afternoon, Aug. 9, 2013

Presiding Officer:
Randy Drewett, Attorney at Law - Beaumont, TX

	LUNCHEON PRESENTATION
12:05 pm 0.75 hr 0.25 hr guardianship	**Hot Topics about Cold Bodies: Issues Dealing with Disposition of Remains** Not-so-uncommon issues that come up in probate, including issues about DNA testing, cremation, interment, and disinterment. Hon. Guy Herman, Travis County Probate Court - Austin, TX
12:50 pm	**Break**
1:00 pm 0.75 hr 0.75 hr guardianship	**The Ins and Outs of 867 Management Trusts** This session reviews the requirements and appropriate uses for Probate Code Section 867 Management Trusts, and includes highlights of the 2013 legislative changes made to Section 867. Forms for pleadings to create the trusts and sample 867 trusts are provided. Deborah A. Green, Attorney at Law - Austin, TX
1:45 pm 0.50 hr	**Spousal Protection (Special Needs) Trusts** Properly drafted, a testamentary trust for a surviving spouse will not be a countable asset for Medicaid eligibility purposes. Spousal protection trusts may also outline future care protection for surviving spouses, who may be alone for many years. This session examines the benefits and challenges in working with clients to include spousal protection trusts in their plans. Renée C. Lovelace, The Lovelace Law Firm, P.C. - Austin, TX

2:15 pm 0.50 hr	**Solo-Nation: Estate Planning for a New Era of Singletons** The percentage of Americans living alone has doubled since 1960. This may be the greatest social change since the baby boom, and most of these singletons live alone by choice. This group has specific estate planning needs, and, as singletons age, it is important for attorneys to develop a practice that includes services for this growing group. This presentation focuses on the estate planning needs of singletons and why it's important to include them in your estate planning practice. Bryn Anne Poland, Law Office of Pi-Yi Mayo - Baytown, TX
2:45 pm 0.50 hr ethics	**Planning to Avoid Power of Attorney Litigation** A look at preventing litigation arising from the principal/attorney-in-fact relationship. What can planners do to significantly reduce the risk of future litigation? Elliott E. Burdette, Burdette & Rice, PLLC - Dallas, TX J. Ellen Bennett, Burdette & Rice, PLLC - Dallas, TX
3:15 pm	**Adjourn**